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JOURNAL OF THE SENATE

OF THE

STATE OF SOUTH CAROLINA.

Regular Session, Commencing November 22, 1870.

TUESDAY, NOVEMBER 22, 1870.

The General Assembly of the State of South Carolina begun and holden at Columbia, on the fourth Tuesday in November, being the twenty-second day of the month.

In pursuance of the provision of the Constitution, the members of the Senate assembled this day in the State House, in the city of Columbia.

At 12 M. Hon. D. T. CORBIN, of Charleston County, acting Lieutenant-Governor and President *pro tempore* of the Senate, called the Senate to order.

Mr. J. Woodruff, Clerk of the late Senate, called the roll by Counties.

PRESENT :

From the County of Anderson,

HON. JOHN WILSON.

From the County of Barnwell,

HON. C. P. LESLIE.

From the County of Beaufort,

HON. ROBERT SMALLS.

From the County of Charleston,

HON. D. T. CORBIN.

From the County of Chester,

HON. LUCIUS WIMBUSH.

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WITHDRAWN

JOURNAL OF THE SENATE,

From the County of Chesterfield,

HON. G. W. DUVALL.

From the County of Colleton,

HON. G. F. MCINTYRE.

From the County of Darlington,

HON. B. F. WHITTEMORE.

From the County of Edgefield,

HON. F. ARNIM.

From the County of Fairfield,

HON. G. W. BARBER.

From the County of Greenville,

HON. J. M. ALLEN.

From the County of Horry,

HON. J. S. BURRROUGHS.

From the County of Kershaw,

HON. HENRY CARDOZO.

From the County of Laurens,

HON. Y. J. P. OWENS.

From the County of Lexington,

HON. E. S. J. HAYES.

From the County of Marion,

HON. H. E. HAYNE.

From the County of Marlboro,

HON. H. J. MAXWELL.

From the County of Newberry,

HON. C. W. MONTGOMERY.

From the County of Oconee,

HON. D. BIEMAN.

From the County of Orangeburg,

HON. JOS. A. GREENE.

From the County of Pickens,

HON. W. E. HOLCOMBE.

From the County of Richland,

HON. W. B. NASH.

From the County of Sumter,

HON. W. E. JOHNSTON.

From the County of Union,

HON. H. W. DUNCAN.

From the County of Williamsburg,

HON. S. A. SWAILS.

From the County of York.

HON. W. E. ROSE.

The PRESIDENT *pro tempore* announced that he had issued writs of election to fill the vacancies occasioned by the resignation of Hon. J. J. Wright, of Beaufort County, and the decease of Hon. Henry Buck, of Horry County.

The following recently elected Senators then appeared at the President's desk, presented their credentials, the oaths were administered by the PRESIDENT *pro tempore*, and they took their seats:

Anderson—Hon. JOHN WILSON.

Beaufort—Hon. ROBERT SMALLS.

Chester—Hon. LUCIUS WIMBUSH.

Chesterfield—Hon. G. W. DUVALL.

Darlington—Hon. B. F. WHITTEMORE.

Horry—Hon. J. S. BORROUGHS.

Kershaw—Hon. HENRY CARDOZO.

Marlboro—Hon. H. J. MAXWELL.

Pickens—Hon. W. E. HOLCOMBE.

Richland—Hon. W. B. NASH.

Sumter—Hon. W. E. JOHNSTON.

Union—Hon. H. W. DUNCAN.

Williamsburg—Hon. S. A. SWAILS.

A quorum being present, the PRESIDENT addressed the Senate as follows :

SENATORS :

It is with unfeigned pleasure that I welcome you here. To one-half of us it is a re-union—a resumption of our important duties as Senators of the Commonwealth. To the new, as well as the old Senators, I extend a most cordial greeting. We meet, after a most bitter and acrimonious campaign, in which the feelings of our constituents and fellow-citizens have been wrought up to the highest pitch, and the State shaken to its foundations, but the storm subsides, the clouds disperse, and the sun of peace again illumines the sky. The passions evoked by the exciting questions of the hour have disappeared, and we meet to discharge the important trusts conferred upon us. Let us be generous and forgiving to our opponents, and apply ourselves, without passion or prejudice, earnestly, honestly and fearlessly, to the highest good of the State. It is my duty to say to you that my term of office, as President *pro tempore*, held during the past two years, now expires, and it is for you to name a successor. I thank you for your kindness and partiality to me in the past, and trust I have in some measure fulfilled your just expectations. With the election of a President *pro tempore*, I shall retire from the Chair, and, as your presiding officer, bid you farewell.

Mr. HAYES introduced the following Resolution :

Resolved, That the Rules of the last Session be adopted as the Rules of this body.

Mr. ARNIM moved that the Rules be suspended, and the Resolution considered immediately.

The PRESIDENT *pro tempore* ruled that the Senate being a continuous body, the Rules of the Senate of the last General Assembly are in force until modified or repealed by the Senate.

The Resolution of the Senator from Lexington was withdrawn.

On motion of Mr. NASH, the Senate proceeded to the election of a President *pro tempore*, to serve in the absence of the Lieutenant-Governor.

Mr. NASH nominated Hon. Charles W. Montgomery, Senator from Newberry.

The election having been conducted *viva voce*, pursuant to the Rules of

the Senate, and the provisions of the Constitution, the following vote was given :

Those who voted for Hon. Charles W. Montgomery are :

Messrs. James M. Allen, F. Arnim, G. W. Barber, Henry Cardozo, D. T. Corbin, H. W. Duncan, Joseph A. Greene, E. S. J. Hayes, Henry E. Hayne, W. E. Johnston, C. P. Leslie, H. J. Maxwell, W. B. Nash, Y. J. P. Owens, W. E. Rose, Robert Smalls, S. A. Swails, B. F. Whittemore, Lucius Wimbush—19.

The PRESIDENT declared Hon. Charles W. Montgomery duly elected President *pro tempore* of the Senate.

On motion of Mr. NASH,

The PRESIDENT appointed a Committee of two, to wait upon the President elect and conduct him to the Chair.

Messrs. Nash and Leslie were appointed said Committee.

The Committee having performed the duty,

The PRESIDENT elect addressed the Senate as follows :

SENATORS :

On assuming the Chair to which I have been called as President *pro tempore*, through your kindness and partiality, permit me to say that any language at my command would but imperfectly convey my deep sense of the obligation I am under for this renewed manifestation of your good will and personal regard. To be again chosen to occupy this Chair is an honor not to be lightly esteemed ; more especially is this so when, on looking around this Chamber, I see many Senators so much better qualified than I am, and who would bring to the discharge of its duties a larger acquaintance with the rules, practice and usages that govern and obtain in legislative proceedings. In the discharge of the various delicate and responsible duties pertaining to the Chair of this Senate, I shall be happy indeed if I do not disappoint your just expectations, raised too high, perhaps, from the fact of my having hitherto had the honor to preside in your deliberations. But, Senators, I would be reluctant to enter on the performance of these duties did I not have the assurance that I will have your generous aid and support in the enforcement of the rules, the preservation of order, and the maintenance of the dignity and decorum of this body. A presiding officer has no more unpleasant and difficult task to perform than in determining, at times, what is and what is not order. This being the case, I shall not hesitate, on a question raised of a supposed breach of orderly procedure, to seek to be relieved of even the appearance of unfairness and partiality by a resort, in the first instance, to the sense of the Senate, and trust that you will always unhesitatingly exercise that ready corrective you hold in your hands—an appeal from the decision of the Chair—whenever, in your judgment, my rulings are not sustained by authority.

Senators, in looking around this Chamber, many of the old, familiar faces are not to be met, but in the places where we were accustomed to look for them we meet those of the stranger. Shall they be longer strangers in the place where their new sphere of usefulness has promisingly opened? I trust not; that uniform courtesy and urbanity of intercourse, so marked a feature in the former sessions of this Senate, will soon cause to spring up between us feelings of mutual regard and friendship.

With these very brief remarks, and relying on the source of all wisdom, enlightenment and knowledge to aid and direct us in the business we have before us, so that our legislation may prove a blessing and not a curse, and solemnly enjoining you to see to it that this honored old Commonwealth receive no detriment at your hands, I again return you acknowledgments, and am ready to proceed to business.

On motion of Mr. LESLIE, the Senate proceeded to the election of Clerk of the Senate.

Mr. HAYNE nominated Mr. Josephus Woodruff.

Those who voted for Mr. Woodruff are:

Messrs James M. Allen, F. Arnim, G. W. Barber, D. Bieman, J. S. Burroughs, Henry Cardozo, D. T. Corbin, H. W. Duncan, G. W. Duvall, Joseph A. Greene, E. S. J. Hayes, H. E. Hayne, W. E. Holcombe, W. E. Johnston, H. J. Maxwell, C. W. Montgomery, W. B. Nash, Y. J. P. Owens, W. E. Rose, Robert Smalls, S. A. Swails, B. F. Whittemore, John Wilson and Lucius Wimbush.—24.

The PRESIDENT declared Mr. Josephus Woodruff, having received a majority of all the votes given, duly elected Clerk of the Senate.

On motion of Mr. HAYNE, the Clerk of the Senate was authorized to appoint an Assistant Clerk.

The Senate then proceeded to vote for Reading Clerk.

Mr SWAILS nominated Mr. Robert A. Sisson.

Mr. SMALLS nominated Mr. Davis.

Those who voted for Mr. Sisson are:

Messrs. Allen, Barber, Bieman, Burroughs, Corbin, Duncan, Duvall, Greene, Hayes, Holcombe, Leslie, Montgomery, Nash, Owens, Rose, Swails, Whittemore and Wilson.—18.

Those who voted for Mr. Davis are:

Messrs. Cardozo, Johnston, Smalls and Wimbush.—4.

The PRESIDENT declared Mr. Robert A. Sisson, having received a majority of all the votes given, duly elected Reading Clerk of the Senate.

Mr. LESLIE moved that the election of Chaplain be indefinitely postponed.

The question was taken on agreeing to the motion of the Senator from Barnwell, and decided in the negative.

The Senate proceeded to the election of Chaplain of the Senate.

Mr. MAXWELL nominated Rev. A. Webster.

Mr. WIMBUSH nominated Rev. E. J. Adams.

Those who voted for Rev. A. Webster are as follows :

Messrs. Bieman, Burroughs, Cardozo, Corbin, Duvall, Greene, Hayes, Hayne, Holcombe, Leslie, Maxwell, Owens, Rose, Whittemore and Wilson.—15.

Those who voted for Rev. E. J. Adams are :

Messrs. Barber, Duncan, Johnston, Montgomery, Nash, Smalls, Swails and Wimbush.—8.

Mr. Allen voted for Rev. R. H. Cain.

The PRESIDENT declared Rev. A. Webster, having received a majority of the votes given, duly elected Chaplain of the Senate.

Hon. GEORGE F. MCINTYRE, Senator elect from Colleton County, appeared at the President's desk and presented his credentials.

The PRESIDENT *pro tempore* administered the oath, and he took his seat.

The Senate proceeded to the election of Sergeant-at-Arms of the Senate.

Mr. HAYNE nominated Mr. J. E. Green.

Those who voted for Mr. Green are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, McIntyre, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush.—23.

The PRESIDENT declared Mr. J. E. Green, having received a majority of the votes given, duly elected Sergeant-at-Arms.

The Senate proceeded to the election of Doorkeeper.

Mr. HAYNE nominated Mr. Matt Brooks.

Mr. NASH nominated Mr. A. Thomas.

Mr. HAYES nominated Mr. J. M. Boland.

Those who voted for Mr. Matt Brooks are :

Messrs. Allen, Barber, Cardozo, Corbin, Duncan, Duvall, Greene, Hayne, Johnston, Leslie, Maxwell, Montgomery, McIntyre, Nash, Owens, Rose, Smalls, Swails, Whittemore and Wimbush.—20.

Those who voted for Mr. J. M. Boland are as follows :

Messrs. Bieman, Burroughs, Hayes, Holcombe and Wilson.—5.

The PRESIDENT declared Mr. Matt Brooks, having received a majority of all the votes given, duly elected Doorkeeper of the Senate.

The Senate proceeded to the election of Assistant Doorkeeper.

Mr. NASH nominated Mr. A. Thomas.

Those who voted for Mr. A. Thomas are as follows :

Messrs. Allen, Barber, Cardozo, Corbin, Duncan, Greene, Hayes,

Hayne, Leslie, Montgomery, McIntyre, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush.—19.

Those who voted for Mr. Boland are :

Messrs. Bieman, Burroughs and Holcombe.—3.

The PRESIDENT declared Mr. A. Thomas, having received a majority of the votes given, duly elected Assistant Doorkeeper of the Senate.

On motion of Mr. HAYNE, it was

Resolved, That the election of Messengers be indefinitely postponed, and that the Committee on Finance be authorized to appoint such other assistants as may be deemed necessary for the service of the Senate.

On motion of Mr. HAYNE, the subordinate officers elect appeared in front of the President's desk, and the oath was administered to them.

On motion of Mr. CORBIN, the Senate proceeded to the election of Chairman of each of the Standing Committees of the Senate.

Mr. LESLIE nominated Hon. E. E. Dickson for Chairman of the Committee on Agriculture.

The PRESIDENT ruled that it was not in order to enter into an election for a gentleman who was not a sworn member of the Senate.

On motion of Mr. HAYNE, the election of Chairman of the Committee on Agriculture was postponed for the present.

Mr. LESLIE nominated Hon. E. S. J. Hayes for Chairman of the Committee on Claims and Grievances.

Those who voted for Mr. Hayes are as follows :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—22.

The PRESIDENT declared Hon. E. S. J. Hayes, having received a majority of the votes given, duly elected Chairman of the Committee on Claims and Grievances.

Mr. MAXWELL nominated Hon. W. E. Holcombe for Chairman of the Committee on Commerce and Manufactures.

Those who voted for Mr. Holcombe are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—23.

The PRESIDENT declared Mr. Holcombe, having received a majority of the votes given, duly elected Chairman of the Committee on Commerce and Manufactures.

Mr. JOHNSTON nominated Hon. Henry Cardozo for Chairman of the Committee on Charitable Institutions.

Those who voted for Hon. Henry Cardozo are :

Messrs. Barber, Bieman, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—21.

The PRESIDENT declared Mr. Cardozo, having received the highest number of votes, duly elected Chairman of the Committee on Charitable Institutions.

Mr. LESLIE nominated Hon. Henry E. Hayne for Chairman of the Committee on Education.

Those who voted for Hon. Henry E. Hayne are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush.—23.

The PRESIDENT declared Mr. Hayne, having received the highest number of votes given, duly elected Chairman of the Committee on Education.

Mr. CORBIN nominated Hon. B. F. Whittemore for Chairman of the Committee on Engrossed Bills.

Those who voted for Hon. B. F. Whittemore are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Wilson and Wimbush.—23.

The PRESIDENT declared Mr. Whittemore, having received a majority of the votes given, duly elected Chairman of the Committee on Engrossed Bills.

Mr. GREENE nominated Hon. H. J. Maxwell for Chairman of the Committee on Enrolled Bills.

Those who voted for Hon. H. J. Maxwell are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush.—23.

The PRESIDENT declared Mr. Maxwell, having received the highest number of votes given, duly elected Chairman of Committee on Enrolled Bills.

Mr. LESLIE nominated Hon. Joseph A. Greene for Chairman of the Committee on Finance.

Mr. SMALLS nominated Hon. S. A. Swails.

Mr. SWAILS declined the nomination.

Those who voted for Hon. Joseph A. Greene are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittemore, Wilson and Wimbush—22.

The PRESIDENT declared Mr. Greene, having received the highest number of votes, duly elected Chairman of the Committee on Finance.

Mr. NASH nominated Hon. Lucius Wimbush Chairman of the Committee on Incorporations.

Those who voted for Hon. L. Wimbush are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore and Wilson.—23.

The PRESIDENT declared Mr. Wimbush, having received the highest number of votes, duly elected Chairman of the Committee on Incorporations.

Mr. WHITTEMORE nominated Hon. D. T. Corbin for Chairman of the Committee on the Judiciary.

Those who voted for Hon. D. T. Corbin are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittemore; Wilson and Wimbush—22.

The PRESIDENT declared Mr. Corbin, having received the highest number of votes given, duly elected Chairman of the Committee on the Judiciary.

Mr. HAYNE nominated Hon. W. E. Johnston for Chairman of the Committee on the Legislative Library.

Those who voted for Hon. W. E. Johnston are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush.—24.

The PRESIDENT declared Mr. Johnston, having received the highest number of votes given, duly elected Chairman of Committee on Legislative Library.

Mr. WHITTEMORE nominated Hon. S. A. Swails for Chairman of the Committee on Military.

Those who voted for Hon. S. A. Swails are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Whittemore, Wilson and Wimbush.—23.

The PRESIDENT declared Mr Swails, having received the highest

number of votes given, duly elected Chairman of the Committee on Military.

Mr. WHITTEMORE nominated the Hon. D. T. Corbin for Chairman of the Committee on Mines and Mining.

Mr. BARBER nominated the Hon. Robert Smalls.

Those who voted for the Hon. D. T. Corbin are :

Messrs. Allen, Bieman, Burroughs, Duncan, Duvall, Greene, Hayes, Holcombe, Leslie, Owens, Rose, Whittemore and Wilson.—13.

Those who voted for Hon. Robert Smalls are :

Messrs. Barber, Cardozo, Hayne, Johnston, Maxwell, Montgomery, Nash, Swails and Wimbush—9.

The PRESIDENT declared Mr. Corbin, having received the highest number of votes given, duly elected Chairman of the Committee on Mines and Mining.

Mr. LESLIE nominated Hon. James M. Allen for Chairman of the Committee on Printing.

Those who voted for Hon. James M. Allen are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—23.

The PRESIDENT declared Mr. Allen, having received the highest number of votes given, duly elected Chairman of the Committee on Printing.

Mr. LESLIE nominated the Hon. D. T. Corbin for Chairman of the Committee on Privileges and Elections.

Mr. SMALLS nominated the Hon. C. P. Leslie.

Those who voted for the Hon. D. T. Corbin are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittemore, Wilson and Wimbush—20.

Mr. Smalls voted for the Hon. C. P. Leslie.

The PRESIDENT declared Mr. Corbin, having received the highest number of votes given, duly elected Chairman of the Committee on Privileges and Elections.

Mr. HAYES nominated Hon. W. E. Rose for Chairman of Committee on Public Buildings.

Those who voted for the Hon. W. E. Rose are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Smalls, Swails, Whittemore, Wilson and Wimbush.—23.

The PRESIDENT announced Mr. Rose, having received the highest

number of votes given, duly elected Chairman of the Committee on Public Buildings.

Mr. MAXWELL nominated the Hon. B. F. Whittemore for Chairman of Committee on Public Lands.

Those who voted for the Hon. B. F. Whittemore are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnson, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Wilson and Wimbush.—22.

Mr. Smalls voted for Hon. D. T. Corbin.

The PRESIDENT declared Mr. Whittemore, having received the highest number of votes given, duly elected Chairman of the Committee on Public Lands.

Mr. CORBIN nominated Hon. C. P. Leslie for Chairman of Committee on Railroads and Internal Improvements.

Those who voted for Hon. C. P. Leslie are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittemore, Wilson and Wimbush—22.

Mr. Smalls voted for the Hon. D. T. Corbin.

The PRESIDENT declared Mr. Leslie, having received the highest number of votes given, duly elected Chairman of Committee on Railroads and Internal Improvements.

Mr. WHITTEMORE nominated Hon. Joel Foster for Chairman of the Committee on Retrenchments.

Those who voted for Hon. Joel Foster are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Davall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittemore, Wilson and Wimbush—23.

The PRESIDENT declared Mr. Foster, having received the highest number of votes given, duly elected Chairman of the Committee on Retrenchments.

Mr. LESLIE nominated Hon. Y. J. P. Owens for Chairman of the Committee on Roads, Bridges and Ferries.

Those who voted for Hon. Y. J. P. Owens are :

Messrs. Allen, Barber, Burroughs, Cardozo, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Montgomery, Nash, Rose, Swails, Whittemore, Wilson and Wimbush—19.

Mr. Corbin voted for Hon. John Wilson.

Mr. Smalls voted for Hon. D. T. Corbin.

The PRESIDENT declared Mr. Owens, having received the highest

number of votes, duly elected Chairman of the Committee on Roads, Bridges and Ferries.

Mr. LESLIE nominated Hon. H. E. Hayne for Chairman of the Committee on the State Penitentiary.

Those who voted for Hon. H. E. Hayne are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittemore, Wilson and Wimbush—22.

Mr. Smalls voted for Hon. D. T. Corbin.

The PRESIDENT declared Mr. Hayne, having received the highest number of votes given, duly elected Chairman of the Committee on the State Penitentiary.

Mr. HAYNE nominated Hon. C. P. Leslie for Chairman of the Committee on Contingent Accounts and Expenses of the Senate.

Those who voted for Hon. C. P. Leslie are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Montgomery, Owens, Rose, Swails, Whittemore, Wilson and Wimbush—18.

Those who voted for Hon. Robert Smalls are :

Messrs. Corbin and Maxwell.—2.

Mr. Smalls voted for Hon. D. T. Corbin.

The PRESIDENT declared Mr. Leslie, having received the highest number of votes given, duly elected Chairman of the Committee on Contingent Accounts and Expenses of the Senate.

Mr. LESLIE nominated Hon. F. Arnim for Chairman of the Committee on County Offices and Officers.

Those who voted for Hon. F. Arnim are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittemore, Wilson and Wimbush.—22.

Mr. Smalls voted for the Hon. D. T. Corbin.

The PRESIDENT declared Mr. Arnim, having received the highest number of votes given, duly elected Chairman of the Committee on County Offices and Officers.

Mr. LESLIE nominated Hon. E. S. J. Hayes for Chairman of the Medical Committee of the Senate.

Those who voted for Hon. E. S. J. Hayes are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, McIntyre, Nash, Owens, Rose, Swails, Whittemore, Wilson and Wimbush.—22.

Mr. Smalls voted for Hon. D. T. Corbin.

The PRESIDENT declared Mr. Hayes, having received the highest number of votes given, duly elected Chairman of the Medical Committee of the Senate.

The Senate then proceeded to the election of the other members necessary to complete the organization of the Standing Committees.

Mr. LESLIE nominated for members of the Committee on Agriculture,

Messrs. Duvall, Duncan and McIntyre.

Those who voted for the above are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittemore, Wilson and Wimbush.—22.

The PRESIDENT declared Messrs. Duvall, Duncan and McIntyre, having the highest number of votes given, duly elected members of the Committee on Agriculture.

Mr. LESLIE nominated for members on the Committee on Claims and Grievances, Messrs. Wimbush, Burroughs, Nash and Johnston.

Those who voted for the above members are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Smalls, Swails, Whittemore, Wilson and Wimbush.—23.

The PRESIDENT declared Messrs. Wimbush, Burroughs, Nash and Johnston, having received the highest number of votes given, duly elected members of the Committee on Claims and Grievances.

On motion of Mr. LESLIE, the election of the other members of the Committee on Commerce and Manufactures, and of the Committee on Charitable Institutions was postponed to Monday next.

Mr. LESLIE nominated for members on Committee on Education, Messrs. Duvall, McIntyre, Cardozo, Maxwell and Whittemore.

Those who voted for the above members are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, McIntyre, Nash, Owens, Smalls, Swails, Whittemore, Wilson and Wimbush—24.

The PRESIDENT declared Messrs. Duvall, McIntyre, Cardozo, Maxwell and Whittemore, having received the highest number of votes given, duly elected members of Committee on Education.

Mr. WHITTEMORE nominated for members on Committee on Engrossed Bills, Messrs. Cardozo and Greene.

Those who voted for the above members are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—24.

The PRESIDENT declared Messrs. Cardozo and Greene, having received the highest number of votes given, duly elected members of the Committee on Engrossed Bills.

Mr. LESLIE nominated for members of the Committee on Enrolled Bills Messrs Hayne and Cardozo.

Those who voted for the above members are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—24.

The PRESIDENT declared Messrs. Hayne and Cardozo, having received the highest number of votes given, duly elected members of the Committee on Enrolled Bills.

MESSAGE No. 1 FROM HOUSE OF REPRESENTATIVES.

The Sergeant-at-Arms announced a message from the House of Representatives.

Hon. A. O. Jones, Clerk of the House of Representatives, appeared and informed the Senate that the House had met, and a quorum was present; that it had organized by the election of Hon. F. J. Moses, Jr., as Speaker, and Hon. A. O. Jones as Clerk, and was ready to proceed with the business of the General Assembly.

On motion of Mr. WHITTEMORE, the message was received as information.

The Senate resumed the election of members of the several Standing Committees

Mr. LESLIE nominated for members of the Committee on Finance, Messrs. Owens, Foster, Hayne, Nash, Duncan and Swails.

Those who voted for the above members are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—23.

The PRESIDENT declared Messrs Owens, Foster, Hayne, Nash, Duncan and Swails, having received the highest number of votes given, duly elected members of the Committee on Finance.

Mr. LESLIE nominated for members of the Committee on Incorporations Messrs. Maxwell, Bieman, Smalls and Johnston.

Those who voted for the above members are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Leslie, Maxwell, Montgomery, McIntyre, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush.—24.

The PRESIDENT declared Messrs. Maxwell, Bieman, Smalls and Johnston, having received the highest number of votes given, duly elected members of the Committee on Incorporations.

Mr. CORBIN nominated for members of the Committee on the Judiciary, Messrs. Montgomery, Leslie, Holcombe and Whittemore.

Those who voted for the above members are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Johnston, Maxwell, McIntyre, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush.—21.

The PRESIDENT declared Messrs. Montgomery, Leslie, Holcombe and Whittemore, having received the highest number of votes given, duly elected members of the Committee on the Judiciary.

Mr. LESLIE nominated for members of the Committee on Legislative Library, Messrs. Bieman, Wilson and Barber.

Those who voted for the above members are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—23.

The PRESIDENT declared Messrs. Bieman, Wilson and Barber, having received the highest number of votes given, duly elected members of the Committee on Legislative Library.

Mr. LESLIE nominated Messrs. Burroughs, Cardozo, Greene, Hayne and Maxwell for members of the Committee on Military.

Those who voted for the above members are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Leslie, Maxwell, Montgomery, McIntyre, Nash, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—23.

The PRESIDENT declared Messrs. Burroughs, Cardozo, Greene, Hayne and Maxwell, having received the highest number of votes given, duly elected members of the Committee on Military.

Mr. CORBIN nominated for members of the Committee on Mines and Mining, Messrs. Wimbush, Wilson, Smalls, Burroughs, Arnim and Hayes.

Those who voted for the above members are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Leslie, Maxwell, Montgom-

ery, McIntyre, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—24.

The PRESIDENT declared Messrs. Wimbush, Wilson, Smalls, Burroughs, Arnim and Hayes, having received the highest number of votes given, duly elected members of the Committee on Mines and Mining.

Mr. LESLIE nominated for members of the Committee on Printing, Messrs. Owens, Wimbush, Hayes, Foster and Maxwell.

Those who voted for the above members are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittemore, Wilson and Wimbush.—21.

Mr. McIntyre voted in the negative.

The PRESIDENT declared Messrs. Owens, Wimbush, Hayes, Foster and Maxwell, having received the highest number of votes given, duly elected members of the Committee on Printing.

Mr. LESLIE nominated for members of the Committee on Privileges and Elections, Messrs. Owens, Hayes, Montgomery, Wilson, Barber and Burroughs.

Those who voted for the above members are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittemore, Wilson and Wimbush.—23.

Mr. McIntyre voted in the negative.

The PRESIDENT declared Messrs. Owens, Wimbush, Montgomery, Wilson, Barber and Burroughs, having received the highest number of votes given, duly elected members of Committee on Privileges and Elections.

Mr. LESLIE nominated for members of the Committee on Public Buildings, Messrs. Duncan, Holcombe, Allen and Cardozo.

Those who voted for the above members are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittemore, Wilson and Wimbush.—21.

Mr McIntyre voted in the negative.

The PRESIDENT declared Messrs Duncan, Holcombe, Arnim and Cardozo, having received the highest number of votes given, duly elected members of Committee on Public Buildings.

Mr. WHITTEMORE nominated for members of Committee on Public Lands, Messrs. Maxwell, Swails, Cardozo, Owens and Corbin.

Those who voted for the above members are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittemore, Wilson and Wimbush—23.

The PRESIDENT declared Messrs. Maxwell, Swails, Cardozo, Owens and Corbin, having received the highest number of votes given, duly elected members of the Committee on Public Lands.

Mr. LESLIE nominated for members of the Committee on Railroads and Internal Improvements Messrs. Swails, Rose, Arnim, Bieman, Barber and Allen.

Those who voted for the above members are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—22.

Mr. McIntyre voted in the negative.

The PRESIDENT declared Messrs. Swails, Rose, Arnim, Bieman, Barber and Allen, having received the highest number of votes given, duly elected members of the Committee on Railroads and Internal Improvements.

Mr. LESLIE nominated for members of the Committee on Retrenchments Messrs. Bieman, Greene and Johnston.

Those who voted for the above members are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—22.

Mr. McIntyre voted in the negative.

The PRESIDENT declared Messrs. Bieman, Greene and Johnston, having received the highest number of votes given, duly elected members of the Committee on Retrenchments.

Mr. LESLIE nominated for members of the Committee on Roads, Bridges and Ferries Messrs. Nash, Holcombe, Swails and Barber.

Those who voted for the above are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—23.

Mr. McIntyre voted in the negative.

The PRESIDENT declared Messrs. Nash, Holcombe, Swails and Barber, having received the highest number of votes given, duly elected members of the Committee on Roads, Bridges and Ferries.

Mr. LESLIE nominated for members of the Committee on the State Penitentiary, Messrs. Rose, Duncan, Bieman and Holcombe.

Those who voted for the above are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—22.

Mr. McIntyre voted in the negative.

The PRESIDENT declared Messrs. Rose, Duncan, Bieman and Holcombe, having received the highest number of votes given, duly elected members of the Committee on the State Penitentiary.

Mr. LESLIE nominated for members of the Committee on Contingent Accounts and Expenses of the Senate, Messrs. Nash, Rose, Arnim and Wimbush.

Mr. SMALLS moved to strike out the name of Hon. W. E. Rose, and insert in lieu thereof the name of Hon. Geo. F. McIntyre.

The question was taken on agreeing to the motion of the Senator from Beaufort, and decided in the negative.

Those who voted for the above members are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittemore and Wilson. —20.

Messrs. McIntyre and Smalls voted in the negative.

The PRESIDENT declared Messrs. Hayne, Nash, Rose, Arnim and Wimbush, having received the highest number of votes given, duly elected members of the Committee on Contingent Accounts and Expenses of the Senate.

Mr. LESLIE nominated for members of the Committee on County Offices and Officers, Messrs. Whittemore, Foster, Corbin, Hayes, Duvall and Smalls.

Those who voted for the above members are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush.—24.

Mr. McIntyre voted in the negative.

The PRESIDENT declared Messrs. Whittemore, Foster, Corbin, Hayes, Duvall and Smalls, having received the highest number of votes given, duly elected members of the Committee on County Offices and Officers.

Mr. HAYES nominated for members of the Medical Committee of the Senate, Messrs Owens, Greene, Wimbush and Burroughs.

Those who voted for the above members are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Leslie, Maxwell, Montgomery, McIntyre, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush.—24.

The PRESIDENT declared Messrs. Owens, Greene, Wimbush and Burroughs, having received the highest number of votes given, duly elected members of the Medical Committee of the Senate.

On motion of Mr. HAYNE, the Clerk was directed by the Senate to proceed to the House of Representatives and inform that body that the Senate had met, and was organized by the election of Hon. C. W. Montgomery President *pro tempore*, and was now ready to proceed with the business of the General Assembly.

RESOLUTIONS,

Mr. GREENE introduced the following resolution :

Resolved, That a Committee be appointed by the President *pro tem.*, (to act with a similar Committee on the part of the House of Representatives,) to wait upon His Excellency the Governor, to inform him that the General Assembly is organized and ready to proceed to business.

The Rules were suspended, the Resolution considered immediately and agreed to.

Messrs. Greene, Whittemore and Wimbush were appointed said Committee.

Mr. CORBIN introduced the following Resolution :

Resolved, That a Special Committee on Unfinished Business, consisting of three members, be appointed by the President, to examine and report upon the unfinished business of last term, and the proper disposition thereof. Said Committee to report to-morrow, at 1 o'clock P. M., or as soon thereafter as possible.

The Rules were suspended, the Resolution considered immediately and agreed to.

Messrs. Corbin, Leslie and Swails were appointed said Committee.

Mr. MAXWELL introduced the following :

Resolved, That a Committee of three, on the part of the Senate, be appointed by the President, to act with a similar Committee on the part of the House of Representatives, to wait upon His Excellency R. K. Scott, Governor, and Hon. A. J. Ransier, Lieutenant-Governor elect, and inquire when it will suit their convenience to qualify.

The Rule was suspended, the Resolution considered immediately, and agreed to

Messrs. Maxwell, Hayne and Owens were appointed said Committee.

On motion of Mr. CORBIN, Rev. A. Webster, Chaplain elect,

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appeared at the President's desk and the oath of office administered to him.

At 3:30 P. M., on motion of Mr. HAYNE, the Senate adjourned.

WEDNESDAY, NOVEMBER 23, 1870.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by Hon. C. W. MONTGOMERY, President *pro tempore*.

The roll was called, and, a quorum answering to their names, the President announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Journal of yesterday was read, corrected and confirmed.

ADDITIONAL SENATORS.

Hon. E. E. DICKSON, Senator elect from Clarendon County, and Hon. F. A. CLINTON, Senator elect from Lancaster County, appeared at the President's desk, presented their credentials, the oath was administered, and they took their seats.

Rev. Mr. Webster, Chaplain, asked and obtained leave of absence until Tuesday next.

MESSAGE NO. 2 FROM HOUSE OF REPRESENTATIVES.

The following Message was received from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., November 23, 1870.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that the returns of the election for Governor have been received from the honorable Secretary of State, and, in accordance with constitutional provision, request your honorable body to attend in the hall of the

House of Representatives, at 1 o'clock P. M., this day, to hear the same read.

Very respectfully, your obedient servant,

F. J. MOSES, JR.,

Speaker House of Representatives.

On motion of Mr. CORBIN, a message of the Senate was sent to the House of Representatives informing that body that the Senate would attend at the hour named to hear the returns of election for Governor read.

PETITIONS.

Mr. HAYES presented the protest of Phin. B. Tompkins against the right of F. A. Clinton to a seat on the floor of the Senate, as Senator from Lancaster County; which was referred to the Committee on Privileges and Elections.

Mr. CORBIN presented the petition of the Planters' and Mechanics' Bank of South Carolina, praying for an amendment and renewal of charter; which was read and referred to the Committee on Incorporations.

Mr. NASH presented the petition of the County Commissioners of Richland County, praying authority to levy a tax of six mills on the dollar, on the assessed value of all taxable property in Richland County, for County purposes; which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. CORBIN, from the Special Committee on Unfinished Business, reported progress, and that the Committee would submit a further report on Monday next.

RESOLUTIONS.

Mr. CORBIN introduced the following Resolution:

Resolved, That when the Senate adjourns, it shall stand adjourned to meet on Monday next, at 12 M.

The Rule was suspended, the Resolution considered immediately, and agreed to.

On motion of Mr. HAYNE, the Senate took a recess of five minutes.

RECESS.

The Senate re-assembled at 12:45 P. M.

JOINT CONVENTION.

At 1 P. M. the Senate proceeded to the hall of the House of Representatives to hear read the returns of the election for Governor of the State of South Carolina.

The SPEAKER of the House of Representatives, for the information of the Joint Convention, read Section 4, Article III, of the Constitution and the following official returns of the late election for Governor, received from the office of the Secretary of State :

NAMES OF COUNTIES.	R. K. SCOTT.	R. B. CARPENTER.
Abbeville.....	3,385	2,194
Anderson	1,475	1,868
Barnwell.....	3,879	2,216
Beaufort.....	6,142	999
Charleston	13,411	6,980
Chester.....	2,704	1,366
Chesterfield.....	945	1,092
Clarendon.....	1,534	762
Colleton	3,969	1,680
Darlington.....	2,968	1,793
Edgefield	4,547	3,704
Fairfield.....	2,643	1,134
Georgetown.....	2,541	342
Greenville.....	1,405	1,840
Horry.....	563	970
Kershaw.....	1,794	047
Lancaster	1,087	855
Laurens.....	3,022	1,967
Lexington.....	1,081	1,432
Marion.....	1,997	2,186
Marlboro.....	1,449	1,145
Newberry.....	2,915	1,645
Oconce	627	900
Orangeburg	3,797	1,693
Pickens.....	612	775
Richland.....	3,500	1,382
Spartanburg	1,428	1,923
Sumter.....	3,593	1,004
Union.....	1,862	1,744
Williamsburg.....	1,765	1,123
York.....	2,386	1,876
Total.....	85,071	51,537
Majority.....	33,534	

The SPEAKER then announced that ROBERT K. SCOTT, having received a majority of the votes cast, had been elected Governor of the State of South Carolina for the ensuing two years.

The SPEAKER declared, the Joint Convention having finished the business before it provided by the Constitution, hereby dissolved.

The Senate then returned to the Senate House.

RESOLUTIONS.

Mr. CORBIN introduced the following Resolution :

Resolved, That a Committee of three on the part of the Senate be appointed to act with a similar Committee on the part of the House of Representatives, to wait upon His Excellency R. K. Scott, Governor elect, and inquire when it will suit his convenience to qualify as Governor of the State of South Carolina.

The Rule was suspended, the Resolution considered immediately, and agreed to.

Messrs. Hayne, Rose and Nash were appointed said Committee.

On motion of Mr. CORBIN, the Senate took a Recess for fifteen minutes.

RECESS.

The Senate was called to order at 1:45 P. M.

MESSAGE No. 3 FROM HOUSE OF REPRESENTATIVES.

The following message was received from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., November 23, 1870.

Mr. President and Gentlemen of the Senate.

GENTLEMEN: The House respectfully requests your honorable body to meet in the Hall of the House of Representatives, on Monday, November 28th, at 1 P. M., to attend the ceremony of Inauguration of Robert K. Scott, as Governor, and A. J. Ransier, as Lieutenant-Governor of the State of South Carolina.

Very respectfully, your obedient servant,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

On motion of Mr. WHITTEMORE, a message of concurrence was returned.

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MESSAGE No. 4 FROM HOUSE OF REPRESENTATIVES.

The following message was received from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., November 23, 1870.

Mr. President and Gentlemen of the Senate.

GENTLEMEN: The House respectfully informs your honorable body that Messrs. Whipper, Wilkes and S. J. Lee have been appointed a Committee, on the part of the House, to meet a similar Committee, appointed by your honorable body, to wait upon His Excellency the Governor elect, and inquire when it will suit his convenience to be inaugurated as Governor of South Carolina.

Very respectfully, your obedient servant,

F. J. MOSES, JR.,
Speaker of the House of Representatives.

On motion of Mr. WHITTEMORE, the message was received as information.

On motion of Mr. WHITTEMORE, the Senate, at 1:55 P. M., adjourned.

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Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by Hon. C. W. MONTGOMERY, President *pro tempore*.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Journal of Wednesday, 23d instant, was read.

Mr. CARDOZO asked and obtained leave of absence for the Senator from Lancaster for eight days, on account of illness in his family.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

Concurrent Resolution, to appoint a Committee to investigate the affairs of the Blue Ridge Railroad, with power to send for persons and papers.

Mr. NASH moved that the Resolution be referred to the Committee on Railroads.

Mr. MCINTYRE moved that the motion of the Senator from Richland be laid on the table ; which was not agreed to.

Mr. ARNIM moved to amend the Resolution by the addition of the words "with instructions to report to-morrow, at 1 P. M."

The amendment of the Senator from Edgefield was subsequently withdrawn.

After debate, participated in by Messrs. Leslie and Smalls,

The question was taken on agreeing to the motion of the Senator from Richland, and decided in the affirmative.

NOTICE OF CONTEST.

The PRESIDENT laid before the Senate,

Notice of contest of the seat of Hon. G. W. Duvall, in the Senate, as Senator from Chesterfield County ; which, with accompanying papers, was referred to the Committee on Elections.

The PRESIDENT also laid before the Senate,

Protest of sundry citizens of Marlboro County, against the election of Hon. H. J. Maxwell, as Senator of said County ; which was referred to the Committee on Elections.

ANNUAL REPORT.

The PRESIDENT laid before the Senate,

Annual Report of the City Registrar of Charleston, S. C. ; which was received as information.

RESIGNATION OF HON. J. H. RAINEY, AS SENATOR FROM GEORGETOWN COUNTY.

Mr. JOHNSTON presented the following :

STATE OF SOUTH CAROLINA,

COLUMBIA, November 21, 1870.

To the President and Members of the Senate :

Having been elected by the voters of the First Congressional District to an unexpired term in the 41st Congress, and also member of the 42d Congress of the United States, it becomes my duty, therefore, to lay before your honorable body my resignation as Senator from Georgetown County.

In taking leave of you, Senators, allow me to express my gratification in recalling the many hours of pleasant intercourse that we have had together, officially and otherwise, the remembrance of which I shall fondly cherish.

Wishing you, Senators, individually, much prosperity, and, as legislators, great success,

I am, very respectfully yours,

J. H. RAINEY.

On motion of Mr. ARNIM, the resignation was accepted.

PETITIONS.

Mr. GREENE presented the petition of F. W. Klaren, of Orangeburg County, praying the General Assembly to vest the title of the State to a lot of land in the village of Orangeburg, of which Deidrich Klepping died seized, in the purchaser or purchasers who shall pay for the premises under a sale by decree of the Probate Court of Charleston County; and to direct the application of the proceeds of sale; which was referred to the Committee on the Judiciary.

Mr. CORBIN presented the petition of the Union Bank of South Carolina, praying for an amendment of charter so as to authorize and empower the bank to allow interest on deposits, at such rates, and payable at such times and in such manner as may be deemed expedient; which was referred to the Committee on Incorporations.

REPORTS OF COMMITTEES.

Mr. CORBIN, from the Special Committee on Unfinished Business, submitted the report of that Committee on the unfinished papers left in the hands of the Clerk from the last term of the General Assembly, with a recommendation that they be referred to the various Standing Committees of the Senate named in the report.

On motion of Mr. CORBIN, the Rule was suspended, the report considered immediately, and agreed to.

Mr. HAYNE, from the Special Committee appointed to wait upon the Governor and Lieutenant-Governor elect, and inquire when it would suit them to qualify, reported that the Committee had discharged the duty assigned them, and that His Excellency R. K. Scott, Governor elect, and Hon. A. J. Ransier, Lieutenant-Governor elect, would attend in the Hall of the House of Representatives, at 1 P. M. this day, to qualify.

NOTICES OF BILLS.

Mr. GREENE gave notice that on to-morrow, or some subsequent day, he will ask leave to introduce

A Bill to renew the charter of the Orangeburg Presbyterian Church Society.

Mr. ARNIM gave notice that on to-morrow, or some subsequent day, he will ask leave to introduce

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittemore, Wilson and Wimbush—23.

The PRESIDENT declared Messrs. Maxwell, Swails, Cardozo, Owens and Corbin, having received the highest number of votes given, duly elected members of the Committee on Public Lands.

Mr. LESLIE nominated for members of the Committee on Railroads and Internal Improvements Messrs. Swails, Rose, Arnim, Bieman, Barber and Allen.

Those who voted for the above members are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—22.

Mr. McIntyre voted in the negative.

The PRESIDENT declared Messrs. Swails, Rose, Arnim, Bieman, Barber and Allen, having received the highest number of votes given, duly elected members of the Committee on Railroads and Internal Improvements.

Mr. LESLIE nominated for members of the Committee on Retrenchments Messrs. Bieman, Greene and Johnston.

Those who voted for the above members are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—22.

Mr. McIntyre voted in the negative.

The PRESIDENT declared Messrs. Bieman, Greene and Johnston, having received the highest number of votes given, duly elected members of the Committee on Retrenchments.

Mr. LESLIE nominated for members of the Committee on Roads, Bridges and Ferries Messrs. Nash, Holcombe, Swails and Barber.

Those who voted for the above are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—23.

Mr. McIntyre voted in the negative.

The PRESIDENT declared Messrs. Nash, Holcombe, Swails and Barber, having received the highest number of votes given, duly elected members of the Committee on Roads, Bridges and Ferries.

Mr. LESLIE nominated for members of the Committee on the State Penitentiary, Messrs. Rose, Duncan, Bieman and Holcombe.

Those who voted for the above are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—22.

Mr. McIntyre voted in the negative.

The PRESIDENT declared Messrs. Rose, Duncan, Bieman and Holcombe, having received the highest number of votes given, duly elected members of the Committee on the State Penitentiary.

Mr. LESLIE nominated for members of the Committee on Contingent Accounts and Expenses of the Senate, Messrs. Nash, Rose, Arnim and Wimbush.

Mr. SMALLS moved to strike out the name of Hon. W. E. Rose, and insert in lieu thereof the name of Hon. Geo. F. McIntyre.

The question was taken on agreeing to the motion of the Senator from Beaufort, and decided in the negative.

Those who voted for the above members are:

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittemore and Wilson.—20.

Messrs. McIntyre and Smalls voted in the negative.

The PRESIDENT declared Messrs. Hayne, Nash, Rose, Arnim and Wimbush, having received the highest number of votes given, duly elected members of the Committee on Contingent Accounts and Expenses of the Senate.

Mr. LESLIE nominated for members of the Committee on County Offices and Officers, Messrs. Whittemore, Foster, Corbin, Hayes, Duvall and Smalls.

Those who voted for the above members are:

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush.—24.

Mr. McIntyre voted in the negative.

The PRESIDENT declared Messrs. Whittemore, Foster, Corbin, Hayes, Duvall and Smalls, having received the highest number of votes given, duly elected members of the Committee on County Offices and Officers.

Mr. HAYES nominated for members of the Medical Committee of the Senate, Messrs. Owens, Greene, Wimbush and Burroughs.

Those who voted for the above members are:

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Leslie, Maxwell, Montgomery, McIntyre, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush.—24.

The PRESIDENT declared Messrs. Owens, Greene, Wimbush and Burroughs, having received the highest number of votes given, duly elected members of the Medical Committee of the Senate.

On motion of Mr. HAYNE, the Clerk was directed by the Senate to proceed to the House of Representatives and inform that body that the Senate had met, and was organized by the election of Hon. C. W. Montgomery President *pro tempore*, and was now ready to proceed with the business of the General Assembly.

RESOLUTIONS,

Mr. GREENE introduced the following resolution :

Resolved, That a Committee be appointed by the President *pro tem.*, (to act with a similar Committee on the part of the House of Representatives,) to wait upon His Excellency the Governor, to inform him that the General Assembly is organized and ready to proceed to business.

The Rules were suspended, the Resolution considered immediately and agreed to.

Messrs. Greene, Whittemore and Wimbush were appointed said Committee.

Mr. CORBIN introduced the following Resolution :

Resolved, That a Special Committee on Unfinished Business, consisting of three members, be appointed by the President, to examine and report upon the unfinished business of last term, and the proper disposition thereof. Said Committee to report to-morrow, at 1 o'clock P. M., or as soon thereafter as possible.

The Rules were suspended, the Resolution considered immediately and agreed to.

Messrs. Corbin, Leslie and Swails were appointed said Committee.

Mr. MAXWELL introduced the following :

Resolved, That a Committee of three, on the part of the Senate, be appointed by the President, to act with a similar Committee on the part of the House of Representatives, to wait upon His Excellency R. K. Scott, Governor, and Hon. A. J. Ransier, Lieutenant-Governor elect, and inquire when it will suit their convenience to qualify.

The Rule was suspended, the Resolution considered immediately, and agreed to

Messrs. Maxwell, Hayne and Owens were appointed said Committee.

On motion of Mr. CORBIN, Rev. A. Webster, Chaplain elect,

WEDNESDAY, NOVEMBER 23, 1870.

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appeared at the President's desk and the oath of office administered to him.

At 3:30 P. M., on motion of Mr. HAYNE, the Senate adjourned.

WEDNESDAY, NOVEMBER 23, 1870.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by Hon. C. W. MONTGOMERY, President *pro tempore*.

The roll was called, and, a quorum answering to their names, the President announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Journal of yesterday was read, corrected and confirmed.

ADDITIONAL SENATORS.

Hon. E. E. DICKSON, Senator elect from Clarendon County, and Hon. F. A. CLINTON, Senator elect from Lancaster County, appeared at the President's desk, presented their credentials, the oath was administered, and they took their seats.

Rev. Mr. Webster, Chaplain, asked and obtained leave of absence until Tuesday next.

MESSAGE NO. 2 FROM HOUSE OF REPRESENTATIVES.

The following Message was received from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., November 23, 1870.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that the returns of the election for Governor have been received from the honorable Secretary of State, and, in accordance with constitutional provision, request your honorable body to attend in the hall of the

House of Representatives, at 1 o'clock P. M., this day, to hear the same read.

Very respectfully, your obedient servant,

F. J. MOSES, JR.,

Speaker House of Representatives.

On motion of Mr. CORBIN, a message of the Senate was sent to the House of Representatives informing that body that the Senate would attend at the hour named to hear the returns of election for Governor read.

PETITIONS.

Mr. HAYES presented the protest of Phin. B. Tompkins against the right of F. A. Clinton to a seat on the floor of the Senate, as Senator from Lancaster County; which was referred to the Committee on Privileges and Elections.

Mr. CORBIN presented the petition of the Planters' and Mechanics' Bank of South Carolina, praying for an amendment and renewal of charter; which was read and referred to the Committee on Incorporations.

Mr. NASH presented the petition of the County Commissioners of Richland County, praying authority to levy a tax of six mills on the dollar, on the assessed value of all taxable property in Richland County, for County purposes; which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. CORBIN, from the Special Committee on Unfinished Business, reported progress, and that the Committee would submit a further report on Monday next.

RESOLUTIONS.

Mr. CORBIN introduced the following Resolution:

Resolved, That when the Senate adjourns, it shall stand adjourned to meet on Monday next, at 12 M.

The Rule was suspended, the Resolution considered immediately, and agreed to.

On motion of Mr. HAYNE, the Senate took a recess of five minutes.

RECESS.

The Senate re-assembled at 12:45 P. M.

JOINT CONVENTION.

At 1 P. M. the Senate proceeded to the hall of the House of Representatives to hear read the returns of the election for Governor of the State of South Carolina.

The SPEAKER of the House of Representatives, for the information of the Joint Convention, read Section 4, Article III, of the Constitution and the following official returns of the late election for Governor, received from the office of the Secretary of State :

NAMES OF COUNTIES.	R. K. SCOTT.	R. B. CARPENTER.
Abbeville.....	3,385	2,194
Anderson	1,475	1,868
Barnwell.....	3,879	2,216
Beaufort.....	6,142	999
Charleston	13,411	6,980
Chester.....	2,704	1,366
Chesterfield.....	945	1,092
Clarendon.....	1,534	762
Colleton	3,969	1,680
Darlington.....	2,968	1,793
Edgefield	4,547	3,704
Fairfield.....	2,613	1,134
Georgetown.....	2,541	342
Greenville.....	1,405	1,840
Horry.....	563	970
Kershaw.....	1,794	047
Lancaster	1,087	855
Laurens.....	3,022	1,967
Lexington.....	1,081	1,432
Marion.....	1,997	2,186
Marlboro.....	1,449	1,145
Newberry.....	2,915	1,645
Oconee	627	900
Orangeburg	3,797	1,693
Pickens.....	612	775
Richland.....	3,500	1,382
Spartanburg	1,428	1,923
Sumter.....	3,593	1,004
Union.....	1,862	1,744
Williamsburg.....	1,765	1,123
York.....	2,386	1,876
Total.....	85,071	51,537
Majority.....	33,534	

The SPEAKER then announced that ROBERT K. SCOTT, having received a majority of the votes cast, had been elected Governor of the State of South Carolina for the ensuing two years.

The SPEAKER declared, the Joint Convention having finished the business before it provided by the Constitution, hereby dissolved.

The Senate then returned to the Senate House.

RESOLUTIONS.

Mr. CORBIN introduced the following Resolution :

Resolved, That a Committee of three on the part of the Senate be appointed to act with a similar Committee on the part of the House of Representatives, to wait upon His Excellency R. K. Scott, Governor elect, and inquire when it will suit his convenience to qualify as Governor of the State of South Carolina.

The Rule was suspended, the Resolution considered immediately, and agreed to.

Messrs. Hayne, Rose and Nash were appointed said Committee.

On motion of Mr. CORBIN, the Senate took a Recess for fifteen minutes.

RECESS.

The Senate was called to order at 1:45 P. M.

MESSAGE No. 3 FROM HOUSE OF REPRESENTATIVES.

The following message was received from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., November 23, 1870.

Mr. President and Gentlemen of the Senate.

GENTLEMEN: The House respectfully requests your honorable body to meet in the Hall of the House of Representatives, on Monday, November 28th, at 1 P. M., to attend the ceremony of Inauguration of Robert K. Scott, as Governor, and A. J. Ransier, as Lieutenant-Governor of the State of South Carolina.

Very respectfully, your obedient servant,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

On motion of Mr. WHITTEMORE, a message of concurrence was returned.

MESSAGE No. 4 FROM HOUSE OF REPRESENTATIVES.

The following message was received from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., November 23, 1870.

Mr. President and Gentlemen of the Senate.

GENTLEMEN: The House respectfully informs your honorable body that Messrs. Whipper, Wilkes and S. J. Lee have been appointed a Committee, on the part of the House, to meet a similar Committee, appointed by your honorable body, to wait upon His Excellency the Governor elect, and inquire when it will suit his convenience to be inaugurated as Governor of South Carolina.

Very respectfully, your obedient servant,

F. J. MOSES, JR.,
Speaker of the House of Representatives.

On motion of Mr. WHITTEMORE, the message was received as information.

On motion of Mr. WHITTEMORE, the Senate, at 1:55 P. M., adjourned.

MONDAY, NOVEMBER 28, 1870.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by Hon. C. W. MONTGOMERY, President *pro tempore*.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Journal of Wednesday, 23d instant, was read.

Mr. CARDOZO asked and obtained leave of absence for the Senator from Lancaster for eight days, on account of illness in his family.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

Concurrent Resolution, to appoint a Committee to investigate the affairs of the Blue Ridge Railroad, with power to send for persons and papers.

Mr. NASH moved that the Resolution be referred to the Committee on Railroads.

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittemore, Wilson and Wimbush—23.

The PRESIDENT declared Messrs. Maxwell, Swails, Cardozo, Owens and Corbin, having received the highest number of votes given, duly elected members of the Committee on Public Lands.

Mr. LESLIE nominated for members of the Committee on Railroads and Internal Improvements Messrs. Swails, Rose, Arnim, Bieman, Barber and Allen.

Those who voted for the above members are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—22.

Mr. McIntyre voted in the negative.

The PRESIDENT declared Messrs. Swails, Rose, Arnim, Bieman, Barber and Allen, having received the highest number of votes given, duly elected members of the Committee on Railroads and Internal Improvements.

Mr. LESLIE nominated for members of the Committee on Retrenchments Messrs. Bieman, Greene and Johnston.

Those who voted for the above members are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—22.

Mr. McIntyre voted in the negative.

The PRESIDENT declared Messrs. Bieman, Greene and Johnston, having received the highest number of votes given, duly elected members of the Committee on Retrenchments.

Mr. LESLIE nominated for members of the Committee on Roads, Bridges and Ferries Messrs. Nash, Holcombe, Swails and Barber.

Those who voted for the above are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—23.

Mr. McIntyre voted in the negative.

The PRESIDENT declared Messrs. Nash, Holcombe, Swails and Barber, having received the highest number of votes given, duly elected members of the Committee on Roads, Bridges and Ferries.

Mr. LESLIE nominated for members of the Committee on the State Penitentiary, Messrs. Rose, Duncan, Bieman and Holcombe.

Those who voted for the above are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush—22.

Mr. McIntyre voted in the negative.

The PRESIDENT declared Messrs. Rose, Duncan, Bieman and Holcombe, having received the highest number of votes given, duly elected members of the Committee on the State Penitentiary.

Mr. LESLIE nominated for members of the Committee on Contingent Accounts and Expenses of the Senate, Messrs. Nash, Rose, Arnim and Wimbush.

Mr. SMALLS moved to strike out the name of Hon. W. E. Rose, and insert in lieu thereof the name of Hon. Geo. F. McIntyre.

The question was taken on agreeing to the motion of the Senator from Beaufort, and decided in the negative.

Those who voted for the above members are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittemore and Wilson. —20.

Messrs. McIntyre and Smalls voted in the negative.

The PRESIDENT declared Messrs. Hayne, Nash, Rose, Arnim and Wimbush, having received the highest number of votes given, duly elected members of the Committee on Contingent Accounts and Expenses of the Senate.

Mr. LESLIE nominated for members of the Committee on County Offices and Officers, Messrs. Whittemore, Foster, Corbin, Hayes, Duvall and Smalls.

Those who voted for the above members are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush.—24.

Mr. McIntyre voted in the negative.

The PRESIDENT declared Messrs. Whittemore, Foster, Corbin, Hayes, Duvall and Smalls, having received the highest number of votes given, duly elected members of the Committee on County Offices and Officers.

Mr. HAYES nominated for members of the Medical Committee of the Senate, Messrs Owens, Greene, Wimbush and Burroughs.

Those who voted for the above members are :

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Leslie, Maxwell, Montgomery, McIntyre, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush.—24.

The PRESIDENT declared Messrs. Owens, Greene, Wimbush and Burroughs, having received the highest number of votes given, duly elected members of the Medical Committee of the Senate.

On motion of Mr. HAYNE, the Clerk was directed by the Senate to proceed to the House of Representatives and inform that body that the Senate had met, and was organized by the election of Hon. C. W. Montgomery President *pro tempore*, and was now ready to proceed with the business of the General Assembly.

RESOLUTIONS,

Mr. GREENE introduced the following resolution :

Resolved, That a Committee be appointed by the President *pro tem.*, (to act with a similar Committee on the part of the House of Representatives,) to wait upon His Excellency the Governor, to inform him that the General Assembly is organized and ready to proceed to business.

The Rules were suspended, the Resolution considered immediately and agreed to.

Messrs. Greene, Whittemore and Wimbush were appointed said Committee.

Mr. CORBIN introduced the following Resolution :

Resolved, That a Special Committee on Unfinished Business, consisting of three members, be appointed by the President, to examine and report upon the unfinished business of last term, and the proper disposition thereof. Said Committee to report to-morrow, at 1 o'clock P. M., or as soon thereafter as possible.

The Rules were suspended, the Resolution considered immediately and agreed to.

Messrs. Corbin, Leslie and Swails were appointed said Committee.

Mr. MAXWELL introduced the following :

Resolved, That a Committee of three, on the part of the Senate, be appointed by the President, to act with a similar Committee on the part of the House of Representatives, to wait upon His Excellency R. K. Scott, Governor, and Hon. A. J. Ransier, Lieutenant-Governor elect, and inquire when it will suit their convenience to qualify.

The Rule was suspended, the Resolution considered immediately, and agreed to

Messrs. Maxwell, Hayne and Owens were appointed said Committee.

On motion of Mr. CORBIN, Rev. A. Webster, Chaplain elect,

appeared at the President's desk and the oath of office administered to him.

At 3:30 P. M., on motion of Mr. HAYNE, the Senate adjourned.

WEDNESDAY, NOVEMBER 23, 1870.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by Hon. C. W. MONTGOMERY, President *pro tempore*.

The roll was called, and, a quorum answering to their names, the President announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Journal of yesterday was read, corrected and confirmed.

ADDITIONAL SENATORS.

Hon. E. E. DICKSON, Senator elect from Clarendon County, and Hon. F. A. CLINTON, Senator elect from Lancaster County, appeared at the President's desk, presented their credentials, the oath was administered, and they took their seats.

Rev. Mr. Webster, Chaplain, asked and obtained leave of absence until Tuesday next.

MESSAGE NO. 2 FROM HOUSE OF REPRESENTATIVES.

The following Message was received from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., November 23, 1870.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that the returns of the election for Governor have been received from the honorable Secretary of State, and, in accordance with constitutional provision, request your honorable body to attend in the hall of the

prosperity have generally prevailed during the past year, the earth has borne a most bounteous harvest, and I am happy to say that, with but few exceptions, personal and political animosities, the eradication of which is necessarily the work of time, are being gradually ameliorated, and a very general desire is manifested, especially among the more thoughtful and responsible, to obliterate old animosities, and, by co-operation and harmony, to manifest the power of a united people in a united purpose to give their State prominence and themselves respectability.

The following statement exhibits the indebtedness and assets of the State, October 31, 1870 :

Funded debt of the State, October 31, 1870.....	\$7,665,908 98
Assets held by the State on that date.....	2,290,700 00
	<hr/>
	\$5,375,208 98

For a full and detailed statement of the financial condition of the State, I would respectfully refer you to the reports of the Comptroller and Treasurer.

THE SINKING FUND.

From a report of the Secretary of the Commissioners of the Sinking Fund, it will be found that of the unremunerative property of the State, there has been disposed of 21,698 shares of Greenville and Columbia Railroad

Stock, at \$2.75 per share.....	\$59,669.50
240 shares of South Carolina and South-Western Railroad Stock, at \$45 per share.....	10,800.00
Building material in State House yard.....	3,014.70
Real estate—four acres on Arsenal Hill and one acre on Main Street, rear of State House.....	6,965.00
4,000 shares of Cheraw and Coalfields Railroad Company, at \$3.75 per share.....	15,000.00
	<hr/>
Amount realized.....	\$95,449.20

EXPENDITURES.

For \$100,000 of South Carolina Bonds.....	\$81,937.50
For Commissions, Advertisements, &c.....	855.00
	<hr/>
	\$82,792.50
	<hr/>
Balance on hand.....	\$12,656.70

STATE DEPARTMENT.

The report of the Secretary of State presents an epitome of the labors

of his department for the current year, and gives a lively idea of the amount of labor transacted in the Executive Departments. In addition to the usual amount of work, the Secretary, in his present report, has prepared a careful compilation of all the election returns in tabular form, presenting the names of all the parties voted for, and the number of votes they received.

THE PENITENTIARY.

The report of the Commissioners of the Penitentiary presents the affairs of that institution in a highly favorable aspect, and it is fully borne out by the Annual Report of the Superintendent which accompanies it.

Since his last annual report, the Superintendent has received in the institution.....	280
Inmates at that date.....	295
	<hr/>
Whole number during the year.....	575
	<hr/>
Of which number there have been discharged by expiration of sentence.....	23
Pardoned	205
Died	24
Escaped.....	6
Insane.....	1
	<hr/>
	259

Leaving a balance of 316 in confinement, of which 309 are males and 7 females. Such as are enumerated as pardoned mainly consisted of those whose terms were about to expire, and who were recommended for their good behavior by the Superintendent. By anticipating the expiration of their sentence the criminal generally avoids the deprivation of his civil rights, many of which would be forfeited by their consummation. The effect of this leniency is stated by the Superintendent as being most salutary in promoting good behavior among the convicts, and enabling him, from day to day, to designate large numbers of the convicts for work as laborers, teamsters and mechanics, without the presence of a guard, outside the enclosure of the prison, and not one has betrayed the confidence thus reposed in them. The Superintendent makes a variety of suggestions for the extension and improvement of the institution, which are respectfully commended to your favorable consideration.

LUNATIC ASYLUM.

I submit for your consideration, the Report of the Regents of the Lunatic Asylum, accompanied by the Annual Reports of the Superinten-

dent, and of the Treasurer of the Institution. The Report of Dr. Ensor shows, that at the commencement of the year the number of patients was two hundred and thirty-two (232), to which was added ninety, (90,) making a total of three hundred and twenty-two (322) under treatment during the year. Of this number, thirty (30) have been discharged, cured; sixteen (16) have been removed; thirty-one (31) have died, and four (4) have escaped, leaving in the Institution at this date two hundred and forty-four (244) patients; of whom, one hundred and twelve (112) are males, and one hundred and thirty-two (132) are females. The Treasurer's statement shows that, during the year, the receipts and disbursements were as follows:

Collections.....	\$41,002 52
Appropriation	17,505 00
Total	<u>\$58,507 52</u>

DISBURSEMENTS,

By deficit in last Annual Report.....	\$ 154 81
Supplies.....	40,994 29
Salaries and Wages.....	14,482 69
Repairs and Improvements	2,336 25
Balance, deposited.....	539 48
	<u>\$58,507 52</u>

LIABILITIES.

For Supplies.....	\$11,835 00
Salaries and Wages.....	3,143 50
Total	<u>\$14,978 50</u>

ASSETS.

Due by County Commissioners.....	\$23,519 26
Pay Patients, regarded good.....	3,924 93
State Appropriations, to January 1, 1871.....	6,026 97
Extensions and Repairs.....	10,000 00
Total	<u>\$43,471 16</u>

The Board of Regents, in transmitting the Reports of the Superintendent, and of the Treasurer of the Institution, accompany them by two important recommendations, viz:

1. That the beneficiaries should be maintained by the State, instead of the several Counties; and

2. The extension of the present new building, so as to enable us to abandon the inferior quarters used for patients.

With regard to the first recommendation, it has my thorough concurrence. The effect of the present system is to throw the entire expense of supporting the Asylum on a portion of the Counties, while a considerable number is largely in arrear of their payments, as will be seen by the table accompanying the Treasurer's Report. By apportioning the amount of the tax on the respective Counties to the number of beneficiaries accommodated at the Asylum, and collecting it with the general tax, a more equitable system will be reached, and the Asylum saved from several embarrassments to which it is now liable.

With regard to the proposed extension of the Asylum, for which an appropriation of forty thousand dollars is asked, I think its propriety, as well as expediency, are matters of considerable doubt. It will be recollected, that for more than twenty years, the suitableness of the present locality, has been a matter of discussion, while the want of adaptability of the buildings to their present purposes is generally admitted. In consequence of these deficiencies, the South Carolina Lunatic Asylum, which, at its establishment stood at the head of similar institutions in this country, has entirely lost that proud pre-eminence, and now lags lamentably in the rear. Among those who have been most urgent for the abandonment of the present site and buildings, are Dr. D. H. Trezevant, the former, and Dr. J. W. Parker, the recent Superintendent of the institution, who unite in condemning them for want of space in the grounds and of suitableness in the buildings. To these gentlemen, whose long connection with the institution renders their opinion authoritative, may now be added those of Dr. J. F. Ensor, the present Superintendent, who says that on taking charge of it, (the Asylum,) August 5, he found it far behind the times in almost everything that is now considered necessary in a well appointed Asylum; its buildings are not of proper capacity or construction. No greater blunder was ever made in architecture than the plan upon which this gloomy, incongruous pile was erected; the most of the rooms are mere cells or chinks in the walls, dark and illy ventilated, and those on the ground floor damp and unhealthy; that it would be, to say the least, the greatest inhumanity to require the patients to occupy them. In corroboration of his own statement, Dr. Ensor quotes Dr. Wilkins, Commissioner of Insanity for the State of California, who is now making a tour of the United States and Europe, in quest of information touching the subject of insanity, and institutions for the insane, who spoke of our Asylum "as the farthest behind the age, of all that he had visited in this country," with one exception.

With these concurrent remarks of medical men of the highest authority, it may well be inquired whether it is consistent with policy or expe-

diency to patch up an old and generally condemned building, by expending a large additional amount of money on it, and thus perpetuate the institution in its present unfit locality, or to make the necessary investigation as to whether a more suitable location could not be selected, where ample grounds could be secured and suitable buildings erected for a moderate sum, in addition to the price obtained for the present premises. I commend the subject to your careful and deliberate investigation.

QUARANTINE.

The Annual Report of Dr. Robert Lebby, Health Officer of the Port of Charleston, will be found highly interesting and satisfactory, as exemplifying, beyond all cavil, the important fact that with an attentive and vigilant quarantine officer, the City of Charleston may be considered perfectly safe from the visits of Tropical Epidemics which have occasionally desolated her streets and paralyzed her commerce. Her exemption from pestilential diseases, her general salubrity, her accessibility at all seasons, with her other signal advantages and facilities, present a brilliant future to Charleston, which, if properly improved, cannot fail to place her at the head of Southern seaports. Dr. Lebby, in his report, makes a number of suggestions and recommendations, which are deservedly entitled to the highest respect, and are recommended to your favorable consideration.

AGRICULTURAL STATISTICS.

The Report of the Commissioner of Agricultural Statistics contains much valuable information in relation to the soil and productions of the State, embracing the various crops and modes of cultivation, the value of the numerous fertilizers, the culture of fruits, and of the grape, and the formation of roads.

I recommend that a liberal appropriation be made to be distributed in premiums as prizes for excellence in agriculture and the mechanic arts among the several Counties and the State Fair at Columbia, with the understanding that an equal amount from private sources be raised for the same purposes by the State Fair, and County Fairs respectively.

PHOSPHATES.

Attention is called to the elaborate and suggestive report of Prof. Charles U. Shepard, Jr., Inspector of Guano and Fertilizers. It presents in a most forcible aspect the magnitude and importance of this new field of enterprise and industry, its rapid growth and probable extension. In this connection, your attention may be usefully given to the law of last session, granting to certain parties therein named, the right to dig and

mine in the navigable streams of the State for Phosphate. The receipts thus far to the State from that Company, have been nineteen hundred and eighty-nine (\$1,989) dollars. In my judgment, further legislation is imperatively required to protect the interests of the State in this matter. It is believed, that with a moderately efficient administration of the affairs of this valuable property, a sum may be realized to the Treasury sufficient to pay the interest on the debt of the State, or its equivalent. The Constitution provides for a uniform and equal rate of assessment and taxation, and that only the proceeds of mines and mining claims shall be assessed. The inquiry may be suggested, whether the present mode of assessing the Phosphate Lands is the most advantageous to the State, and equitable to the tax-payer, and whether some charge is not demanded.

THE LAND COMMISSION

Was, undoubtedly, one of the wisest and most beneficent projects of the State; but, from the odium which has been brought upon it by charges, freely made, of speculation and personal purposes in its administration, the results have not been commensurate with the sagacity and philanthropy of its objects. About \$600,000 have been expended, and thousands of acres of land have been purchased, but up to this time only a comparatively small portion of the land has been sold to actual settlers; and the tardiness of the Commission should be a subject of investigation by the Legislature. This investigation should be thorough and searching, by intelligent and honest men; who should examine fairly and fearlessly into alleged abuses, which have excited widespread comment and denunciation. Desiring to investigate these alleged abuses myself, I applied to an eminent law firm, in this city, but was informed that, owing to the imperfect legislation which characterized the Act, my power over the matter was very limited and questionable. Whatever abuses have characterized this agency and paralyzed its usefulness, are mainly traceable to its organization, by which its authority was delegated to five Commissioners, and by its divided responsibility, in constituting any three of them, whose assent, obtained either individually or in the aggregate, a quorum to decide all questions brought before them. I will make no recommendation upon the subject of modifying these provisions, but would respectfully ask that the Executive be relieved from his share of the control and responsibility of the management of its affairs, of which he is entitled, under the law, to one-fifth, while, in public estimation, he is held responsible for all the faults and abuses connected with its entire supervision. He would take the liberty, however, of suggesting the entire separation of the Commissioner from politics, and restricting him to the direction of its legitimate operations. Your attention is called to the

fact that from the money already received for the land sold, as well as those which are to be sold hereafter, there is no provision made for its safe-keeping, other than the personal responsibility of the Commissioner, who has them under his exclusive charge. Provision should also be made for their deposit in some safe and responsible institution, or they should be used for the purpose of the redemption of the bonds issued for the purchase of lands.

STATE LIBRARY.

The report of the Librarian witnesses his indefatigable zeal and industry in the discharge of his duties, and the preservation of the property entrusted to him.

AUDITOR OF STATE.

For information in his Department, I will respectfully refer you to his very full and complete report, and call your attention to the importance of his recommendations.

EDUCATION.

For the operations of the State Superintendent of Education during the year, I refer you to the report of that officer.

MILITIA.

The report of the Adjutant and Inspector General is referred to for the operations and proceedings of the Military Department of the State during the year.

THE STATE CONSTABULARY.

The report of the Chief Constable presents a full and satisfactory account of the proceedings and expenditures of the body under his control during the past year. Captain Hubbard, in the discharge of his responsible and unpleasant duties, has acquitted himself creditably and efficiently. Strong hopes were entertained that, after the expiration of the late heated political contest, it would have been deemed advisable to dispense entirely with the services of this force, and orders had been given looking to that result on the first of November, but the unfortunate and disgraceful occurrences recently in the Counties of Laurens, Union, Spartanburg and Newberry, in which outrages were perpetrated, and valuable lives sacrificed, have compelled the postponement of that desirable result. Recent indications, however, encourage the hope that the postponement will be but temporary, and that the police duties of the State will soon revert to the local authorities. Up to this time no arrests have been made of the authors and participators in the recent murders

and outrages, and, having thus long waited on the local authorities in vain, active measures are now in progress for the arrest of the criminals.

TRIAL JUSTICES.

Owing to the existing prejudices, and the difficulties of obtaining impartial decisions in litigated cases, the Executive has, unfortunately, been thrown almost exclusively upon the members of one political party for his choice of Trial Justices, and, in many cases, persons without the requisite qualifications have been recommended. It is very important that this evil be corrected, and we may reasonably hope that in future a wider field may be opened to select from, among such of our citizens as are distinguished for their intelligence, impartiality, and love of justice. In a prompt, equitable and economical administration of the laws, depend much of the peace and harmony of the community, by the obliteration of causes of discord and the establishment of friendly relations between individuals. But essential modifications are necessary in the existing administration of justice. Complaints are prevalent that in many cases a spirit of litigation is promoted and stimulated with a view solely to personal acquisition; and it is asserted that not only individuals appearing before these Magistrates are charged extravagant fees, but there is too much reason to believe that in many cases the costs have been not only charged to the parties, but, in addition, have been charged and collected from the State. A correction of these abuses is loudly demanded. There should be, also, an essential modification of the amount of costs permitted to be charged, and the State thoroughly protected against the abuses of unprincipled men holding these positions. The extravagance of the costs at present, in cases before a Trial Justice, are, in many instances, a denial of justice, as, in most of the cases taken before these minor Courts, they are greater in amount than the sum in litigation. The powers and the duty of the Magistrate should be well defined, and the severest penalties imposed for their violation. None should be held more rigidly amenable to the law than those who are chosen to administer it. I would here remark that I must necessarily depend very much upon the members of the Legislature for the character and fitness of Trial Justices, and I am disposed to consider education as an essential element among them. This would not only be proper in itself, but would afford an additional stimulus to its acquisition. By making a knowledge of the elementary branches an indispensable requisite to appointment for office a higher grade of service would be secured, as well as a more efficient performance of it.

COUNTY COMMISSIONERS.

I would direct your attention to the laws defining the powers and

duties of County Commissioners, and their perversions and abuses. From the frequent complaints against some of the Boards, it would be imagined that they were devoted more to private acquisition than the faithful discharge of a public trust. In neighboring States, the office of County Commissioner is looked upon more as an honorary station, bestowed as a mark of confidence and trust in the judgment and business capacity of the individual, rather than as a position of pecuniary emolument, and, except in the neighborhood of large cities, the compensation is but trivial, seldom amounting to more than from fifty to a hundred dollars per annum. Stringent laws are required for the prevention and punishment of abuses, which will restrict expenditures within legitimate bounds, forbid all participation, direct or indirect, in contracts, for which proposals should be invariably advertised, restricting the amount of County orders issued, constituting the County Auditor the permanent Clerk of the Board, by whom all orders should be signed and issued.

TRUST DEPOSITS.

Since the Bank of the State ceased operations there has been no suitable means of securely depositing funds held by the Courts. It is of great importance that provision should be made by law for the security of such funds, both for the preservation of a pure administration of that important branch of Judicial jurisdiction, and for the protection of suitors. Places of security should be indicated, and provision made for the deposit of adequate pledges from parties authorized, by law, to become custodians of such funds, and means should be provided for increasing such securities, from time to time, so as to afford sufficient protection to all amounts so deposited, and the control over such deposits, while in the hands of such depositories, should be further secured by allowing to the Courts summary remedies against them, to the same extent as if they were the regular appointed receivers of the Courts.

JURIES.

The attention of the last General Assembly was called to the necessity of a change in the system of selecting juries. As at present conducted it is liable to be and is perverted to great abuse, on account of the character of the persons placed upon them. It is highly important that the jury-box should be placed beyond the reach of political influence or prostituted to the purposes of men who are themselves guilty of crime. It should be filled with our best and most reliable citizens. The appointment of a Commissioner of Juries has been tried in some of our sister States, and has been found to work admirably.

COMMISSIONER OF PUBLIC BUILDINGS.

In view of the frequent expenditures for furnishing the public buildings, and the irresponsibility of the mode in which public money is disbursed therefor, I would recommend the designation of some officer who should have a supervision of the public buildings and grounds, and of all expenditures for their furniture and improvement.

THE BLUE RIDGE RAILROAD.

I regret to inform you that but little progress has been recently made upon the Blue Ridge Railroad. The liberal policy pursued by the Legislature was obstructed by parties, prompted by personal aggrandizement and political prejudices, entering into combination to throw obstacles in the way of negotiating the bonds, which prevented their sale at the time, and before these difficulties were overcome, the war in Europe intervened and rendered their sale impracticable. I have no recommendations to make on the subject, as all the laws necessary are in existence, and will, therefore, refer you to the annual report of the President of the Road for all the necessary information to an understanding of the details. It is extremely unfortunate that personal ambition or political rancor should be permitted to delay or interfere with the progress and completion of a work of such vital and transcendent importance to the prosperity of the State and its chief commercial city.

EMIGRATION AND LABOR.

While I am willing and anxious, by all legitimate means, to encourage and promote emigration to this State of all peoples, who are homogeneous in customs and usages with our own, that are willing to labor, as well as those who will bring into it skill and capital, I cannot forego the expression of my opinion that the passage and enforcement of stringent laws for the protection of life and property, and the free and unrestricted expression of political opinions, is all that is necessary to accomplish that purpose in a State that presents so many attractions and advantages to the emigrant and capitalist as ours.

LABOR AND CAPITAL.

There has been much discussion upon the alleged scarcity of labor, and a variety of schemes has been suggested for its alleviation; but thus far without practical result. The importation of foreigners, either Christian or Pagan, can work but an inconsiderable influence, as these are as keenly alive to the facilities of improving their condition as the native whom they attempt to supplant, and will dispose of their services

to those who will pay the highest prices for them. My own impression is, that the present labor of the country, "native and to the manner born," furnishes the most economical, the most skillful, and the most efficient system of labor for the South, and cannot advantageously be substituted by any other. A true appreciation of the mutual dependence of capital and labor, and a disposition to arrange, amicably and equitably, terms of agreement between them, would go far to reconcile existing difficulties, and remove a fruitful cause of dissension and irritation among our own people. Inducements might also be held out by which the ranks of the productive class may be largely recruited from those who are non-producers, and whose complaint is, that they can "get nothing to do," and also by grants of land to tenants in fee, the payments, properly secured, running over a long series of years, to those who may settle in families.

LANDLORD AND TENANT.

Attention is called to the necessity of a cheap and speedy remedy by which the owners of property may repossess themselves of it by a summary magisterial process. While honest poverty is deserving of our sympathy and entitled to all legitimate protection, yet there is too much reason to believe that there are cases in which the law is perverted, which, by their vexatious results, compel landlords to enhance their rents, and militate against the interests of the public at large.

APPRENTICES.

The attention of the last General Assembly was called to the necessity and importance of a law to regulate and define the relations and obligations of employer and apprentice. An intelligent and industrious workman has within himself the elements of independence and respectability. His art is his capital, of which he cannot be divested; his labor is always and everywhere in demand. As illustrating the effect of idleness as the source of crime, it is stated in the Report of the Prison Association, lately issued, that of fourteen thousand five hundred and ninety-six prisoners confined in the Penitentiaries of thirty States, in 1870, more than ten thousand of that number, or over seventy per cent., had never learned a trade. This pregnant fact conveys a lesson of profound interest to those who have in charge the training of boys and girls for the active duties of life. Framing such a law as is suggested, the amplest security should be provided that the apprentice be protected from cruelty and injustice, and that he should receive an adequate amount of education.

PRESERVATION OF GAME, AND PROPAGATION OF FISH.

Many of the States of the Union have enacted laws for the preserva-

tion of game, by the prohibition of killing of them during the breeding season. As the wanton and indiscriminate shooting of birds and game animals during the breeding season, must result gradually in their extinction, and to the encouragement and multiplication of myriads of destructive insects, to the great injury and destruction of vegetation and the crops, I would call your attention to the matter as worthy of your consideration. In this connection, I would also recommend the protection and encouragement of artificial fish breeding, by protecting the owners of fish-ponds from trespasses and depredations. A law was passed by the last General Assembly, authorizing the appointment of eight Fish Commissioners, one for each Judicial Circuit, and defining the duties thereof. These appointments were not made, for the following reasons: It was found that competent men could not be procured for the salary authorized to be paid, and no greater results would have been attained by the selection of incompetent men than without any. It was thought best to leave the whole subject for additional legislation, in the hope that it would conform to the practice prevailing in those States which have had most experience and success in fish culture, by appointing *one* person experienced in the business, and known as Fish Commissioner. Mr. Seth Greene, who has been so prominently connected with the artificial propagation of migratory fish, has been, during the past summer, employed by the State of New York, in re-stocking the Hudson River with shad, and has been hatching from one hundred thousand to one hundred and fifty thousand daily. He states, in a published communication, that he can satisfy any person with common sense that all the rivers on the coast can be stocked with shad, so as to make them equally plentiful with the olden time.

NATIONAL CEMETERIES, &C.

A letter has been received from the Hon. M. W. Belknap, Secretary of War of the United States, in relation to the National Cemeteries at Beaufort, Florence and Charleston, requesting that the Legislature of this State may pass an Act in conformity with a law of the United States, entitled "An Act to amend an Act entitled 'An Act to establish and protect National Cemeteries.'"

Information has been received at this office, from Hon. W. B. Shubrick, of the Navy Department, that an appropriation was made, July 20, 1868, of \$15,000 for Range Lights, on Sullivan's Island, Charleston Harbor, and that it is necessary that an Act should be passed ceding the jurisdiction of their sites to the United States, to which your attention is respectfully invited.

There are a number of provisions in the Constitution which require appropriate legislative action to carry them into effect; such as the provision for divorce, the appointment of officers and employees of the Lu-

natic Asylum, time and manner of inaugurating the Governor and Lieutenant-Governor, and electing Justices of the Peace, &c., to which I would respectfully call your attention.

MISCELLANEOUS

Gentlemen of the General Assembly, taxation is the vital power of all Governments, and I invoke your serious attention to the necessity of a strict economy in expenditure, so that no more taxes be levied than is consistent with an efficient administration of the Government. Notwithstanding the constitutional provision for a uniform and equal rate of assessment and taxation, the taxes on real and personal property have become onerous, while railroads and other important interests are virtually exempt. There is much room for retrenchment in the salary of County officers, and especially in that of School and County Commissioners, whose compensation is greatly disproportionate to the trifling amount of duty performed by them.

Having thus submitted to you the condition of the State, and made those recommendations as to your legislation which seemed to me judicious, I might, perhaps, properly conclude this Message. But I cannot refrain from saying what I feel deeply. I am conscious that I have been re-elected by a large majority of the citizens of this State. A majority so large as to secure my administration against any opposition of practical consequence, and I trust that my conduct in the future, as in the past, will show how thoroughly I recognize the confidence which has been vouchsafed to me. But I cannot refuse to recognize the fact that a large body of those in whose hands the wealth, the influence and the education of the State has in former times been entirely placed, and in whose hands, to a very considerable extent, they are still placed, have been opposed to the party of which I am the chosen representative, and are to-day apprehensive of the results of my administration. As far as I am individually concerned, while I wish it were otherwise, I will bear with patience the denunciation that I know proceeds from an entire misconception of my acts, my thoughts and my feelings. But, if I know myself, that which I desire above all things is the restoration of harmony to the disturbed opinion of this State, the recognition by all classes in the State of their mutual dependence and their common interest; and if I could close my term of office knowing that my efforts had been successful in making all men feel once more that they have a common interest in the reputation and prosperity of the State, I should rest content with myself, and thankful to the God of Peace, who used me as his instrument. I know how difficult this will be; but, in conclusion, I will say that I will pledge myself to every legitimate effort for the accomplishment of this desirable result, and will hail as the best

friend of the State and my administration, every and any man, supporter or antagonist, who will aid me in any way to compass this perfect work of Peace.

ROBERT K. SCOTT, Governor.

COLUMBIA, November 28, 1870.

On motion of Mr. WHITTEMORE, it was

Ordered, That all matters in Message No. 1 of His Excellency the Governor, as pertains to the business of the regular Standing Committees of the Senate be referred to the various appropriate Committees, and all other matters to such other Committees as may be decided by the Senate.

ELECTION OF COMMITTEES.

On motion of Mr. LESLIE, the Senate proceeded to the election of members to complete the organization of the Committee on Commerce and Manufactures, and the Committee on Charitable Institutions.

Mr. SWAILS nominated Messrs. Allen, Bieman, Dickson and Foster, for members of the Committee on Commerce and Manufactures.

Those who voted for the above are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Dickson, Duncan, Duvall, Greene, Hayes, Holcombe, Johnston, Leslie, McIntyre, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wim-bush.—21.

The PRESIDENT declared Messrs Allen, Bieman, Dickson and Foster, having received the highest number of votes, duly elected members of the Committee on Commerce and Manufactures.

Mr. CARDOZO nominated Messrs. Johnston, Rose and Swails for members of the Committee on Charitable Institutions.

Mr. HAYNE nominated as an additional member, the Senator from Colleton.

Mr. MCINTYRE declined the nomination.

After debate, participated in by Messrs Smalls, Hayne, Nash and Cardozo,

Mr. MCINTYRE moved to amend by striking out the name of the Senator from Colleton, and inserting in lieu thereof the name of the Senator from Marion.

The motion of the Senator from Colleton was not agreed to.

On the question of agreeing to the nomination and election of Messrs. Johnston, Rose, Swails and McIntyre,

Those who voted for the above members are :

Messrs. Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayne, Holcombe, Johnston, Leslie, McIntyre, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wim-bush.—20.

The PRESIDENT declared Messrs. Johnston, Rose, Swails and McIntyre, having received the highest number of votes given, duly elected members of the Committee on Charitable Institutions.

On motion of Mr. LESLIE, the Senate proceeded to the election of Chairman of the Committee on Agriculture.

Mr. LESLIE nominated Hon. E. E. Dickson.

Those who voted for Mr. Dickson are:

Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Corbin, Duncan, Duvall, Greene, Hayne, Holcombe, Johnston, Leslie, McIntyre, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson and Wimbush.—21.

The PRESIDENT declared Mr. Dickson, having received the highest number of votes given, duly elected Chairman of the Committee on Agriculture.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

Resolution to appoint a Committee to investigate the accounts of the State Treasurer and Land Commissioners.

On motion of Mr. LESLIE, the Resolution was referred to the Committee on Public Lands.

Resolution to appoint a Committee to investigate the affairs of the Land Commission.

On motion of Mr. WHITTEMORE, the Resolution was referred to the Committee on Public Lands.

Resolution to authorize the Clerk of the House to employ a sufficient clerical force for the engrossing of Bills and the enrollment of Acts.

Mr. LESLIE asked and obtained the unanimous consent of the Senate to withdraw the above Resolution.

On motion of Mr. ARNIM, the Senate adjourned at 2:35 P. M.

WEDNESDAY, NOVEMBER 30, 1870.

Pursuant to adjournment the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Rev. W. W. Hicks.

The Journal of yesterday, with the exception of so much as relates to Message No. 1 of His Excellency the Governor, was read.

PETITIONS, &c.

The PRESIDENT laid before the Senate a copy of an extract from the Presentment of the Grand Jury of Marlboro County, at the September Term, 1870; which was read, and referred to the Committee on County Offices.

Mr. NASH presented sundry accounts of Mr. James M. Allen, for work done for the Senate; which were referred to the Committee on Contingent Accounts and Expenses.

RESOLUTIONS.

Mr. SWAILS introduced the following Resolution :

Whereas, it appearing to this body that a vacancy exists in the Counties of Abbeville, Charleston and Georgetown; therefore, be it

Resolved, That the Committee on Privileges and Elections are hereby required to investigate and report on the same as soon as practicable.

Mr. SWAILS moved that the Rule be suspended, and the Resolution considered immediately.

Objection being made, the Resolution was ordered for consideration to-morrow.

Mr. BARBER introduced the following Resolution :

Resolved, That the Secretary of State be requested to forward to the Senate the election returns for Senator of Chesterfield County; and, also, all papers and documents of record in his office relative to said election.

Mr. BARBER moved that the Rule be suspended, and the Resolution considered immediately.

Objection being made, the Resolution was ordered for consideration to-morrow.

Mr. BARBER introduced the following Resolution :

Resolved, That the Committee on Public Buildings be instructed to visit the various public buildings in the city of Columbia and its vicinity, and report what action, if any, is necessary for the preservation of the same,

Ordered for consideration to-morrow.

Mr. LESLIE introduced the following Resolution :

Resolved, That the Clerk be authorized to have printed, for the use of

the Senate, two thousand copies of Message No. 1 of His Excellency the Governor.

On motion of Mr. LESLIE, the Rule was suspended, the Resolution considered immediately, and agreed to.

NOTICES OF BILLS, &c.

Mr. SMALLS gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to authorize the County Commissioners to assume and pay obligations contracted under the late Township Act.

A Bill to amend an Act entitled "An Act to provide for the construction and keeping in repair of public highways and roads."

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to regulate the granting of licenses to retailers of spirituous liquors.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Joint Resolution authorizing the State Treasurer to purchase a safe for the office of the Attorney-General of the State.

BILLS INTRODUCED.

[Mr. ARNIM, pursuant to notice, introduced

A Bill to provide for the appointment of a Commissioner of Railroads and Telegraphs, and prescribe his duties.

The Bill received its first reading, and was ordered for a second reading and consideration to-morrow.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

A Bill to renew the charter of the Orangeburg Presbyterian Church Society.

On motion of Mr. SWAILS, the Bill was read by its title, and referred to the Committee on Incorporations.

Concurrent Resolution to authorize the purchase of a safe for the Attorney-General's office.

The resolution was agreed to, and ordered to be sent to the House of Representatives for concurrence.

Resolution of inquiry as to the qualifications of Hon. George F. McIntyre to a seat in this body.

After debate, participated in by Messrs. Swails, Arnim and Nash,
The question was taken on agreeing to the Resolution, and decided in the affirmative.

Resolution authorizing the Comptroller-General to insure the furniture and other property in the State Capitol.

On motion of Mr. ARNIM, the resolution was referred to the Committee on Finance.

Mr. ARNIM moved to reconsider the vote, whereby the Senate agreed to the Concurrent Resolution to authorize the purchase of a safe for the Attorney-General's office.

The question was taken on agreeing to the motion of the Senator from Edgefield, and decided in the affirmative.

The PRESIDENT ruled that the Resolution having been sent to the House of Representatives, in accordance with the previous action of the Senate, it had passed beyond the control of this body.

Concurrent Resolution to meet in Joint Assembly, December 3, to elect an Associate Justice of the Supreme Court, and Judge of the First Circuit.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

The Resolution was sent to the House of Representatives for concurrence.

Resolution requesting information from the Land Commission.

On motion of Mr. WHITTEMORE, the Resolution was referred to the Committee on Public Lands.

Resolution to authorize the President to appoint a Standing Committee of five on the Lunatic Asylum.

On motion of Mr. ALLEN, the Resolution was referred to the Committee on Charitable Institutions.

On motion of Mr. BARBER, the Senate adjourned at 1:15 P. M.

THURSDAY, DECEMBER 1, 1870.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Journal of yesterday was read, corrected and confirmed.

JOURNAL OF THE SENATE, PETITIONS, &c.

Mr. HAYNE presented sundry accounts against the Sergeant-at-Arms of the Senate; which were referred to the Committee on Contingent Accounts and Expenses of the Senate.

REPORTS OF COMMITTEES.

Mr. GREENE, from the Committee on Finance, to whom was referred a Concurrent Resolution authorizing the Comptroller-General to insure the furniture and other property in the State Capitol, reported back the same, accompanied by the following Joint Resolution, and a recommendation that the same do pass;

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same:

That the Comptroller-General be, and he is hereby, authorized to take out an insurance policy sufficient to cover the actual value of the furniture and other property owned by the State, and contained in the Capitol building.

The Joint Resolution received its first reading, and was ordered for a second reading and consideration to-morrow.

RESOLUTIONS.

Mr. ARNIM introduced the following:

Whereas, by Section 13 of an Act to provide for the government of the South Carolina Penitentiary, approved 21st day of September, 1868, it is provided that the Governor shall, by and with the advice and consent of the Senate, appoint three Directors of the State Penitentiary; and

Whereas the Senate has not received any information of such appointments, at the previous session; therefore, be it

Resolved, That His Excellency the Governor be requested to inform the Senate if any appointments of Directors have been made, and how long the Penitentiary has been conducted without Directors.

Ordered for consideration to-morrow.

Mr. WHITTEMORE introduced the following Resolution:

Resolved by the Senate, the House of Representatives concurring, That a Joint Committee, consisting of three members from the Senate, with members from the House of Representatives, be appointed to wait on His Excellency the Governor, for the purpose of conferring with him

on such measures as he shall judge necessary or expedient to recommend to the consideration of the General Assembly.

Ordered for consideration to-morrow.

Mr. ARNIM introduced the following Resolution :

Whereas, at the last session of the General Assembly, the various Departments of the State transmitted to this body their annual reports entirely too late for proper consideration ; and

Whereas His Excellency the Governor, in his Annual Message, refers, to a large extent, to the Reports of the different Departments ; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the Chief of each Department, including the Financial Agent, and Land Commissioner, be requested to transmit to the General Assembly, without further delay, their respective reports

Resolved, That a copy of this Concurrent Resolution be, immediately after the adoption, transmitted by the Clerk of the Senate to the Chief of each Department.

Ordered for consideration to-morrow.

NOTICES OF BILLS.

Mr. WIMBUSH gave notice that on to-morrow, or some subsequent day, he will ask leave to introduce

A Bill to repeal an Act entitled "An Act to provide for a Sinking Fund Commission, and the management of the same," approved March 1, 1870.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill entitled "A Bill to protect persons and property, and the public peace, against the lawless and merciless outrages, committed by masked and other desperadoes in this State, and to provide for the expense of the same, and all damages therefrom, by a tax upon the real estate of the people of the Counties in which such criminal acts may have been or shall be committed."

Mr. HAYES gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to repeal the bastardy laws of this State.

Mr. WHITTEMORE gave notice that he will on to morrow, or some subsequent day, ask leave to introduce

A Bill to authorize cities, towns and incorporated villages to levy a tax for common school purposes.

JOURNAL OF THE SENATE,
BILLS INTRODUCED.

Mr. SMALLS, pursuant to notice, introduced

A Bill (S. No. 4) to authorize County Commissioners to assume and pay obligations contracted under the late Township Act.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill (S. No. 5) to amend an Act entitled "An Act to establish and maintain a system of Free Common Schools for the State of South Carolina."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced the following Joint Resolution:

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized to purchase a fire proof safe for the use of the Attorney-General's office, at a cost of not more than eight hundred dollars.

The Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Bill to provide for the appointment of a Commissioner of Railroads and Telegraphs, and to prescribe his duties.

On motion of Mr. ARNIM, the Bill was read by its title, and referred to the Committee on Railroads.

Resolution to require the Committee on Privileges and Elections to investigate and report as to vacancies to seats in this body from the Counties of Abbeville, Charleston and Georgetown.

The Resolution was taken up for consideration.

After debate, participated in by Messrs. Smalls, Swails and Whittemore,

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Resolution relative to returns of the election for Senator from Chesterfield County.

On motion of Mr. LESLIE, the Resolution was referred to the Committee on Privileges and Elections.

Resolution to instruct the Committee on Public Buildings to visit public buildings in Columbia, S. C., and report.

On motion of Mr. WHITTEMORE, the Resolution was ordered to lie on the table.

HON. HENRY BUCK.

Mr. HAYES introduced the following Preamble and Resolutions :

Whereas it has pleased Almighty God, in the dispensation of his inscrutable providence, to remove from earth our friend, the Hon. Henry Buck, late Senator from the County of Horry ; and, whereas, Senator Buck, by his genial manners, his uniform courtesy and dignified deportment, had won a place in the affections of every member of this body ; therefore,

Be it resolved, That the Senate of the State of South Carolina has learned with feeling of profound and sincere sorrow the demise of our colleague, the Hon. Henry Buck.

2. *Resolved*, That in his death the Senate has been deprived of a member whom all respected, and honored, and loved ; his County of an able and conscientious representative, and the State one of her best and purest citizens.

3. *Resolved*, That a copy of the foregoing Preamble and Resolutions be forwarded, by the Clerk of the Senate, to the family of the late Senator.

Ordered for consideration to-morrow.

On motion of Mr. SWAILS, the Senate adjourned at 12:40 P. M.

FRIDAY, DECEMBER 2, 1870.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Journal of yesterday was read.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate

Concurrent Resolution for the appointment of a Joint Committee to confer with the Governor as to measures necessary or expedient to recommend to the consideration of the General Assembly.

Mr. WHITTEMORE moved that the Senate concur in the Resolution.

The motion of the Senator from Darlington was not agreed to.

On motion of Mr. WIMBUSH, the Resolution was ordered to lie on the table.

The House also sent to the Senate

Concurrent resolution to authorize the Chairmen of Engrossed Bills of the Senate and House of Representatives to employ the necessary Engrossing Clerks, and to authorize the Sergeant-at-Arms to fit up a room for said purpose, to be called the Engrossing Room.

Mr. HAYNE moved that the Resolution be laid on the table.

The motion of the Senator from Marion was subsequently withdrawn,

Mr. MONTGOMERY moved that the Resolution be referred to the Committee on the Judiciary.

After debate, participated in by Messrs. Hayne and Leslie,

The motion of the Senator from Newberry was withdrawn.

Mr. HAYNE renewed the motion that the Resolution be laid on the table.

The motion of the Senator from Marion was not seconded.

Mr. WIMBUSH moved that the further consideration of the Resolution be indefinitely postponed.

The motion of the Senator from Chester was not seconded.

The question recurred on agreeing to the Resolution.

After debate, participated in by Messrs. Hayne and Nash,

Mr. NASH moved that the further consideration of the Resolution be indefinitely postponed.

After debate, participated in by Messrs. Arnim and Whittemore,

On the question of agreeing to the motion of the Senator from Richland,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Barber, Borroughs, Cardozo, Dickson, Duncan, Hayne, Johnston, McIntyre, Nash, Smalls and Wimbush.—12.

Nays—Messrs. Bieman, Duvall, Foster, Greene, Hayes, Holcombe, Leslie, Maxwell, Owens, Rose, Swails, Whittemore and Wilson.—13.

So the motion of the Senator from Richland was not agreed to.

Mr. WHITTEMORE moved that the Resolution be referred to the Committee on the Judiciary.

Mr. JOHNSTON moved that the motion of the Senator from Darlington be laid on the table.

On the question of agreeing to the motion of the Senator from Sumter,

Mr. SWAILS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Barber, Burroughs, Cardozo, Dickson, Hayne, Johnston, McIntyre, Nash, Smalls and Wimbush.—10.

Nays—Messrs Allen, Bieman, Duncan, Duvall, Foster, Greene, Holcombe, Leslie, Maxwell, Owens, Rose, Swails, Whittemore and Wilson.—14.

So the motion of the Senator from Sumter was not agreed to.

On the question of agreeing to the motion of the Senator from Darlington,

Mr. SWAILS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Arnim, Barber, Bieman, Cardozo, Duncan, Duvall, Foster, Greene, Holcombe, Leslie, Maxwell, Owens, Rose, Swails, Whittemore, Wilson, Wimbush.—18.

Nays—Messrs Burroughs, Dickson, Hayne, Johnston, McIntyre, Nash, Smalls.—7.

So the motion of the Senator from Darlington was agreed to.

PETITIONS, &c.

Mr. WILSON presented a copy of an extract from the Presentment of the Grand Jury of Anderson County, at the September Term, 1870 ; which was read and referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. WIMBUSH, from the Committee on Incorporations, submitted the report of that Committee, accompanied by the following Bills :

A Bill to renew and amend the charter of the town of Abbeville ;

A Bill to charter the town of Yorkville.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. CARDOZO, from the Committee on Charitable Institutions, submitted the report of that Committee, accompanied by the following Bill, and a recommendation that the same do pass :

A Bill to amend an Act entitled " An Act to establish a State Orphan Asylum."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. CARDOZO, from the Committee on Charitable Institutions, to whom was referred the Resolution to authorize the President to appoint a Standing Committee of five on the Lunatic Asylum, reported back the same, with a recommendation that said Resolution be ordered to lie on the table.

Ordered for consideration on Monday next.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to renew the charter of the Orangeburg Presbyterian Church Society, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration on Monday next.

Mr. NASH, from the Committee on Contingent Accounts and Expenses, to whom was referred sundry contingent accounts against the Senate, reported back the same, with a recommendation that they be paid.

Ordered for consideration on Monday next.

RESOLUTIONS.

Mr. ARNIM introduced the following Resolution:

Resolved, That when the Senate adjourns, it shall stand adjourned till Monday next, at 12 M.

On motion of Mr. ARNIM, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

NOTICES OF BILLS.

Mr. CORBIN gave notice that he will on Monday next, or some subsequent day, ask leave to introduce

A Bill to amend an Act entitled "An Act to revise, simplify and abridge the rules, practice, pleadings and forms of Courts in this State," approved March 1, 1870 ;

A Bill to regulate the appointment, jurisdiction and duties of Notaries Public.

Mr. WHITTEMORE gave notice that he will on Monday next, or some subsequent day, ask leave to introduce

A Bill to incorporate the town of Timmons ville ;

A Bill to renew and amend the charter of the town of Darlington ;

A Bill to incorporate the Pleasant Grove Baptist Church, Darlington, S. C. ;

A Bill to amend an Act entitled "An Act to define the jurisdiction and duties of County Commissioners."

ADDITIONS TO COMMITTEES.

On motion of Mr. SWAILS, the Senate proceeded to the election of an additional member to the Committee on Public Lands.

Mr. WHITTEMORE nominated Hon. John Wilson, Senator from Anderson.

Mr. SWAILS nominated Hon. C. P. Leslie, Senator from Barnwell.

Those who voted for Hon C. P. Leslie are :

Messrs. Allen, Barber, Duncan, Duvall, Greene, Hayne, Nash, Owens, Swails and Wimbush.—10.

Those who voted for Hon. John Wilson are :

Messrs. Arnim, Cardozo, Corbin, Johnston, McIntyre, Smalls and Whittemore.—7.

The PRESIDENT declared Mr. Leslie, having received the highest number of votes given, duly elected member of the Committee on Public Lands.

Mr. NASH moved that Hon. Robert Smalls, Senator from Beaufort, be elected additional member of the Committee on Printing.

Mr. ALLEN nominated Hon. Henry E. Hayne.

Mr. LESLIE moved that the further consideration of the election for an additional member to the Committee on Printing be postponed until Monday next.

Pending the consideration of the motion of the Senator from Barnwell,

On motion of Mr. ARNIM, the Senate adjourned at 2:05 P. M.

MONDAY, DECEMBER 5, 1870.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Journal of Friday was read.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

Concurrent Resolution to appoint a Joint Committee to investigate the claims of public school teachers.

On motion of Mr. WHITTEMORE, the Resolution was referred to the Committee on Education.

PETITIONS, &c.

Mr. CORBIN presented the memorial of the Charleston Board of Trade against any change in the present usury laws of the State; which was read, referred to the Committee on Finance, and ordered to be printed.

Mr. HAYES presented the accounts of Messrs. Bryan & McCarter for sundry copies of Richardson's Law and Equity Reports, furnished the Secretary of State; which were referred to the Committee on Claims.

Mr. NASH presented sundry accounts of R. C. Shiver, W. B. Stanley and J. H. & M. L. Kinard, for articles furnished the Senate; which were referred to the Committee on Contingent Accounts and Expenses of the Senate.

REPORTS OF COMMITTEES.

Mr. MONTGOMERY, on behalf of Mr. Corbin, Chairman of the Committee on the Judiciary, to whom was referred the following Bills, reported back the same, with a recommendation that they do pass:

A Bill to alter and amend an Act entitled "An Act to provide a mode by which to perpetuate testimony in relation to deeds, wills, choses in action and other papers and records destroyed or lost during the recent war;

A Bill to invest the title of the State to a lot of land in the village of Orangeburg, of which Deidrich Klepping died seized, in the purchaser or purchasers who shall pay for the premises under a sale by a decree of the Probate Court of Charleston County, and to direct the application of the proceeds of sale.

Ordered for consideration to-morrow.

Mr. MONTGOMERY, on behalf of Mr. Corbin, Chairman of the Committee on the Judiciary, to whom was referred the following Bills, reported back the same, with a recommendation that they do not pass:

A Bill to incorporate the Port Royal Improvement Company;

A Bill to regulate the taking of bail in criminal cases.

Ordered for consideration to-morrow.

Mr. MONTGOMERY, on behalf of Mr. Corbin, Chairman of the Committee on the Judiciary, to whom was referred a Resolution relative

to the returns of the election for Senator of Chesterfield County, reported back the same, with the recommendation that it be agreed to.

Ordered for consideration to-morrow.

RESOLUTIONS.

Mr. MONTGOMERY, on behalf of Mr. Corbin, Chairman of the Committee on the Judiciary, introduced the following Resolutions:

Resolved, That the Committee on Privileges and Elections be authorized to send for persons and papers in the contested election case of P. B. Tompkins vs. F. A. Clinton, Senator from Lancaster County.

Resolved, That the Secretary of State be requested to forward to the Senate the election returns for Senator of Charleston County, and also all papers and documents of record in his office relative to said election.

Mr. ARNIM moved that the Rules be suspended, and the Resolutions considered immediately.

Objection being made, the Resolutions were ordered for consideration to-morrow.

Mr. ALLEN introduced the following Resolution:

Resolved, That the Clerk of the Senate be authorized to draw a pay certificate for three thousand dollars on account of current printing for the Senate.

On motion of Mr. ALLEN, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Mr. WHITEMORE introduced the following Resolution:

Whereas, the term for which Hon. T. J. Robertson was elected to represent the State of South Carolina in the Senate of the United States will expire on the 4th of March, 1871: and, whereas, it becomes necessary, by law, to proceed to an election of an United States Senator on the second Tuesday after the meeting and organization of the General Assembly of this State; and, whereas, to-morrow, the 6th instant, is the second Tuesday after the meeting and organization of the same; therefore,

Resolved, That the Senate do, at 12 o'clock M. to-morrow, proceed to vote for a person to represent the State of South Carolina in the Senate of the United States, for the term of six years, commencing March 4, 1871.

On motion of Mr. WHITTEMORE, the Rules were suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Mr. McINTYRE introduced the following Preamble and Resolution :

Whereas, Section 28, Article II, of the Constitution of the State of South Carolina provides: "That no person shall be eligible to a seat in the General Assembly whilst he holds any office of profit or trust under any other power, except officers in the militia, Magistrates, or Justices of Inferior Courts, while such Justices receive no salary ; and if any member shall accept or exercise any of the said disqualifying offices, he shall vacate his seat : Provided, That this prohibition shall not extend to the members of the *first* General Assembly ;"

And whereas, it has been publicly asserted that several of the honorable Senators on this floor are disqualified to hold their positions in this body ; and whereas, it is a notorious fact that the Hon. D. T. Corbin, Senator representing the County of Charleston, now holds the office of United States District Attorney for the District of South Carolina, with a compensation, including salary and fees, of six thousand (6,000) dollars per year ; also, the office of City Attorney for the city of Charleston, at an annual salary of two thousand (2,000) per annum ; also, the office of Codifier of the Laws of the State, at an annual salary of three thousand five hundred (3,500) dollars ; and whereas, the *first* General Assembly that met after the adoption of the present Constitution of the State expired, by law, when they adjourned *sine die* on the day of April, 1870 ; and as this is not the *first* General Assembly under the present Constitution ; therefore, be it

Resolved, That the Committee on Privileges and Elections be, and they are hereby, instructed to investigate and report at an early day as to the right of the said D. T. Corbin holding a seat in the Senate of the State of South Carolina.

Ordered for consideration to-morrow.

Mr. ARNIM introduced the following Resolution :

Whereas, by Section 5 of " An Act to regulate the manner of keeping and disbursing funds by certain officers," the accounts of the Treasurer shall annually close on the 13th day of October, and shall be examined during the months of November and December in each year by a Joint Committee ; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That a Committee of one from the Senate, to be appointed by the President, and two from the House of Representatives, shall, immediately af-

After the adoption of this Resolution, proceed to examine the books and accounts of the State Treasurer, and make their report without unnecessary delay.

Ordered for consideration to-morrow.

Mr. MONTGOMERY introduced the following Resolution :

Resolved, That all Standing Committees of the Senate shall consist of three, five, seven or more members, so as always to secure an odd number, in conformity with the rule and custom of all legislative bodies.

Ordered for consideration to-morrow.

On motion of Mr. WHITTEMORE, it was

Resolved, That when the Senate adjourn, it shall stand adjourned to meet to-morrow at 11 A. M.

NOTICES OF BILLS.

Mr. SWAILS gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to amend an Act entitled "An Act concerning the office and duties of Clerks, Registrars of Mesne Conveyance, and Commissioners of Locations," approved the 21st day of December, A. D. 1839.

Mr. GREENE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to amend an Act to regulate the fees of Probate Judges, Clerks of Courts, Trial Justices and Magistrates, and other officers herein mentioned.

Mr. ARNIM gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to provide for the creation and regulation of Independent Agricultural Societies.

Mr. NASH gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to amend an Act entitled "An Act to amend Act entitled an 'An Act to provide for the appointment of a Land Commissioner, and to define his powers and duties,' and for other purposes therein mentioned," approved March 1, 1870 ;

A Bill to alter and amend an Act entitled "An Act to alter and amend the charter, and extend the limits of the city of Columbia," approved on the 26th day of February, 1870.

Mr. HAYNE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill fixing a suitable salary for the Lieutenant-Governor of the State.

BILLS INTRODUCED.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to incorporate the Pleasant Grove Baptist Church, in Darlington County, S. C.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. GREENE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to make appropriations for the payment of the per diem and mileage of the members of the General Assembly, and the salaries of the subordinate officers, and other expenses incidental thereto.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. NASH asked and obtained the unanimous consent of the Senate to introduce, without previous notice, the following Joint Resolution :

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same :

1. The Governor, Comptroller-General, and the Attorney-General, are hereby directed to enter into negotiations without delay, with the holders of the " Fire Loan " debt now matured, or which shall mature during the present fiscal year, with the view to ascertain upon what terms the said debt may be adjusted.

2. The said Commission are authorized to take such steps as may be necessary to the most speedy accomplishment of the purpose above stated, and to report the result at the earliest practicable day to the General Assembly.

The Joint Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

UNFINISHED BUSINESS.

The Senate proceeded to the consideration of the Unfinished Business, which was :

A motion of Mr. Nash to elect an additional member to the Committee on Printing.

Mr. ALLEN moved that the further consideration of the motion be indefinitely postponed.

After debate, participated in by Messrs. Leslie, Smalls, Allen, Nash, Johnston,

Mr. JOHNSTON moved that the motion of the Senator from Greenville be laid on the table.

The motion of the Senator from Sumter was not agreed to.

On the question of agreeing to the motion of the Senator from Greenville, Mr. JOHNSTON called the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Barber, Cardozo, Duncan, Duvall, Foster, Greene, Hayes, Hayne, Leslie, Maxwell, Owens, Smalls.—13.

Nays—Messrs. Arnim, Bieman, Burroughs, Dickson, Holcombe, Johnston, Montgomery, McIntyre, Nash, Whittemore, Wilson.—11.

So the motion of the Senator from Greenville was agreed to.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar:

Joint Resolution to authorize the Comptroller-General to take out an insurance policy on the furniture in the Capitol building.

Mr. WHITTEMORE moved that the further consideration of the Resolution be postponed, and made the Special Order for Wednesday next, at 1 P. M.

The motion of the Senator from Darlington was not agreed to.

On motion of Mr. HAYNE, the further consideration of the Resolution was indefinitely postponed.

Resolution to request the Governor for information relative to appointment of Directors of the State Penitentiary.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Resolution to appoint Joint Committee to wait on the Governor, for the purpose of conference with him on measures of legislation.

On motion of Mr. ARNIM, the Resolution was ordered to lie on the table.

Resolution requesting heads of State Departments to transmit, without delay, copies of their Annual Reports to the General Assembly.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Bill to authorize County Commissioners to assume and pay obligations contracted under the late township Act.

On motion of Mr. SWAILS, the Bill was read by its title, and referred to the Committee on the Judiciary.

Bill to amend an Act entitled "An Act to establish and maintain a system of Free Common Schools for the State of South Carolina."

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on Education.

Joint Resolution authorizing the State Treasurer to purchase a fire proof safe for the use of the Attorney-General's office.

The Joint Resolution received its second reading, and was considered as in Committee of the Whole.

Mr. ARNIM moved to amend the Resolution by striking out the words "State Treasurer," and inserting in lieu thereof the words "Attorney-General."

The question was taken on agreeing to the amendment of the Senator from Edgefield, and decided in the affirmative.

Mr. BIEMAN moved further to amend by striking out, before the word "hundred," the word "eight," and inserting in lieu thereof the word "three," so as to read "three hundred dollars."

The question was taken on agreeing to the amendment of the Senator from Oconee, and decided in the negative.

The Resolution was then agreed to as amended, and ordered to be engrossed for a third reading.

TRIBUTE OF RESPECT.

Preamble and Resolutions on the death of Hon. Henry Buck, late Senator from Horry County.

The Preamble and Resolutions were read.

Mr. ARNIM rose and said :

MR. PRESIDENT :

I rise to second the Resolutions. The late and now lamented Senator from Horry County, Hon. Henry Buck, was well known to most of us here. My acquaintance with him was formed during his career as Senator for two years in this body, where all respected and honored him as a good man and an upright citizen. We knew him as a good man. We knew his actions were all founded on the great principles of "equal justice and equal rights to all." We regret his loss, and regret that he cannot meet with us here again in this Senate Chamber, but we may hope to meet him in the great Senate Chamber of Heaven. I move the adoption of the Preamble and Resolutions.

Mr. HAYES said :

MR. PRESIDENT :

To speak the praises of the virtuous and good, who have preceded us on the road to eternity, is one of the cherished privileges of the living. But, sir, to do justice to the memory of one so justly esteemed, is a task both delicate and difficult.

Senator Buck possessed, in an eminent degree, many of the noblest traits of human nature, and was particularly distinguished for those attributes which exalt mankind, and which secure to the possessor the admi-

ration and respect of all who appreciate true greatness. He was marked for his benevolence and genial disposition, as well as for the inflexible decision of his character. My acquaintance with him began with the session of 1868. At that time party feeling had already culminated in many acts of violence; and it was rare, indeed, that the friends of reconstruction received aught but abuse from those who opposed that policy. But I am proud to say that the late Senator rose high above a course so unstatesmanlike and proscriptive. An intimacy soon sprang up between us, which gradually ripened into an ardent and sincere friendship. In him, notwithstanding the disparity in our years, I always found a cheerful and pleasant companion, a well-informed counsellor, and, more than all, *a friend*.

But, sir, he is gone! Having filled up the measure of his days, he rests from his labors, and has gone to claim the rich reward of a well-spent life—the inheritance of the just—“in that house not made with hands, eternal in the Heavens.”

The Preamble and Resolutions were unanimously adopted.

On motion of Mr. WHITTEMORE, the Senate adjourned at 1:15 P. M.

TUESDAY, DECEMBER 6, 1870.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Journal of yesterday was read.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned to the Senate, with amendment,

Senate Concurrent Resolution to meet in Joint Assembly December 3, 1870, to elect an Associate Justice of the Supreme Court and Judge of the First Circuit, to fill the vacancy occasioned by the resignation of R. B. Carpenter, amended by striking out the number “3,” and inserting in lieu thereof the number “10.”

On motion of Mr. SWAILS, the amendment was concurred in, and a message sent to the House of Representatives accordingly.

The House sent to the Senate

Concurrent Resolution to authorize the Attorney-General to summon two Solicitors to attend the General Assembly during the present session.

On motion of Mr. ARNIM, the Resolution was concurred in, and ordered to be returned to the House of Representatives.

REPORTS OF COMMITTEES.

Mr. HAYES, from the Committee on Claims, to whom was referred the accounts of Messrs. Bryan & McCarter, for copies of Richardson's Law and Equity Reports furnished the Secretary of State, reported back the same, with a recommendation that the amount of \$56 be paid in full.

Ordered for consideration to-morrow.

Mr. HAYNE, from the Committee on Education, to whom was referred a Bill to amend an Act entitled "An Act to establish and maintain a system of Free Common Schools for the State of South Carolina, reported back the same, with amendments, and that the Bill so amended do pass.

Ordered for consideration to-morrow, and to be printed.

Mr. HAYNE, from the Committee on Education, to whom was referred House Concurrent Resolution to appoint a Joint Committee to investigate claims of school teachers, reported back the same, with a recommendation that the Resolution be ordered to lie on the table.

Ordered for consideration to-morrow.

BILLS INTRODUCED.

Mr. SWAILS, pursuant to notice, introduced

Bill to repeal so much of the Act of 1839 as prohibits the Clerks of the Courts of the State from acting as attorneys and solicitors in the Courts of the State.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. HAYES, pursuant to notice, introduced

Bill to repeal the bastardy laws of the State.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. ARNIM, pursuant to notice, introduced

A Bill to provide for the creation and regulation of Independent Agricultural Societies.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Bill to renew and amend the charter of the town of Abbeville.

The Bill was taken up for a second reading and consideration as in Committee of the Whole.

On motion of Mr. MAXWELL, the Bill was considered by Sections.

On motion of Mr. SWAILS, Section 5 was amended, in the twenty-eighth line, printed Bill, by striking out the words "the Court of Common Pleas," and inserting in lieu thereof the words "any Court of competent jurisdiction."

On motion of Mr. MONTGOMERY, Section 5 was further amended by inserting in the thirtieth line, printed Bill, between the words "the" and "laws," the words "Constitution and."

On motion of Mr. ARNIM, Section 6 was amended, in the fifth line, printed Bill, by striking out the words "of Roads," and inserting before the word "Commissioners" the word "County."

Mr. MONTGOMERY moved to amend Section 9, in the sixth line, printed Bill, by striking out the word "ten," before the word "cents," and inserting in lieu thereof the word "twenty."

On division, the Senate voted yeas 7, nays 10.

So the amendment of the Senator from Newberry was not agreed to.

Mr. MAXWELL moved to amend Section 9, in the sixth line, by striking out before the word "cents" the word "ten," and inserting in lieu thereof the word "fifteen."

The question was taken on agreeing to the amendment of the Senator from Marlboro, and decided in the negative.

Mr. MONTGOMERY moved to amend Section 9, in the sixth line, by striking out before the word "cents" the word "ten," and inserting in lieu thereof the word "twelve."

The question was taken on agreeing to the amendment of the Senator from Newberry, and decided in the affirmative.

On motion of Mr. WIMBUSH, Section 2 was amended, in the first line, printed Bill, by striking out before the word "Wardens" the word "six," and inserting in lieu thereof the word "four."

On motion of Mr. WHITTEMORE, Section 10 was amended, in the sixth line, printed Bill, by striking out the word "Magistrate," and inserting in lieu thereof the words "Trial Justice."

There being no further amendments,

Pending the question, "Shall the Bill, as amended, be agreed to and ordered to be engrossed for a third reading?"

The PRESIDENT announced the hour arrived for the consideration of the

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 12 M., viz :

Vote for a person to represent the State of South Carolina in the Senate of the United States, for the term of six years, commencing March 4, 1871.

Mr. CORBIN sent up to the President's desk the Act of Congress relative to the election of Senators to the Senate of the United States, which was read by the Clerk.

The Senate then proceeded to vote for a person to represent the State of South Carolina in the Senate of the United States for the term of six years, commencing March 4th, 1871.

Mr. WHITTEMORE nominated Hon. T. J. Robertson.

Mr. WIMBUSH nominated Hon. F. J. Moses, Sr.

Mr. HAYNE nominated Hon. F. L. Cardozo.

Mr. ARNIM nominated General M. C. Butler.

Mr. MAXWELL nominated Colonel Martin R. Delaney.

Mr. ALLEN nominated Hon. D. H. Chamberlain.

FIRST BALLOT.

Those who voted for Mr. M. C. Butler are :

Messrs. Arnim, Bieman, Burroughs, Duncan, Duvall, Foster, Holcombe, Wilson.—8.

Those who voted for Hon. T. J. Robertson are :

Messrs. Greene, Montgomery, Nash, Owens, Smalls, Swails, Whittemore.—7.

Those who voted for Hon. F. L. Cardozo are :

Messrs. Barber, Cardozo, Dixon, Hayne, Johnston.—5.

Those who voted for Hon. D. H. Chamberlain are :

Messrs. Allen, Corbin, Leslie, McIntyre, Rose.—5.

Mr. Wimbush voted for Hon. F. J. Moses, Sr.

Mr. Maxwell voted for Mr. M. R. Delaney.

Whole number of votes given..... 27

Necessary to a choice..... 14

No candidate having received a majority of the whole number of votes given, the Senate proceeded to a

SECOND BALLOT.

Those who voted for Mr. M. C. Butler are :

Messrs. Arnim, Bieman, Burroughs, Duvall, Foster, Holcombe, Wilson.—7.

Those who voted for Hon. T. J. Robertson are :

Messrs. Greene, Montgomery, Nash, Owens, Smalls, Swails, Whittemore.—7.

Those who voted for Hon. D. H. Chamberlain are :

Messrs. Allen, Corbin, Duncan, Leslie, Rose.—5.

Those who voted for Hon. F. L. Cardozo are :

Messrs. Barber, Cardozo, Dickson, Hayne, Johnston —5.

Mr. Maxwell voted for Hon. Reuben Tomlinson.

Mr. Wimbush voted for Hon. F. J. Moses, Sr.

Mr. McIntyre voted for Hon. J. L. Neagle.

Whole number of votes given.....27

Necessary to a choice14

No candidate having received a majority of the whole number of votes given, the Senate proceeded to a

THIRD BALLOT.

Those who voted for Hon. T. J. Robertson are :

Messrs. Duncan, Greene, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore.—10.

Those who voted for Mr. M. C. Butler are :

Messrs. Arnim, Bieman, Burroughs, Duvall, Foster, Holcombe, Wilson.—7.

Those who voted for Hon. F. L. Cardozo are :

Messrs. Barber, Cardozo, Dickson, Hayne, Johnston, McIntyre.—6.

Those who voted for Hon. D. H. Chamberlain are :

Messrs. Allen, Leslie.—2.

Mr. Wimbush voted for Hon. F. J. Moses, Sr.

Whole number of votes given26

Necessary to a choice.....14

No candidate having received a majority of the whole number of votes given, the Senate proceeded to a

FOURTH BALLOT.

Those who voted for Hon. T. J. Robertson are :

Messrs. Dickson, Duncan, Greene, Montgomery, Nash, Owens, Smalls, Swails and Whittemore.—9.

Those who voted for Mr. M. C. Butler are :

Messrs. Arnim, Bieman, Burroughs, Duvall, Foster, Holcombe and Wilson.—7.

Those who voted for Hon. D. H. Chamberlain are :

Messrs. Allen, Corbin, Hayes, Leslie and Maxwell.—5.

Those who voted for Hon. F. L. Cardozo are :

Messrs. Barber, Cardozo, Hayne and Johnston.—4.

Those who voted for Hon. F. J. Moses, Sr., are :

Messrs. Rose and Wimbush.—2.

Mr. McIntyre voted for Mr. M. R. Delaney.

Whole number of votes given.....28

Necessary to a choice.....15

No candidate having received a majority of the whole number of votes given, the Senate proceeded to a

FIFTH BALLOT.

Those who voted for Mr. M. C. Butler are :

Messrs. Arnim, Bieman, Burroughs, Duvall, Foster, Holcombe and Wilson.—7.

Those who voted for Hon. T. J. Robertson are :

Messrs. Duncan, Greene, Montgomery, Nash, Owens, Swails and Whittemore —7.

Those who voted for Hon. F. L. Cardozo are :

Messrs. Barber, Cardozo, Dickson, Hayne, Johnston and Maxwell.—6

Those who voted for Hon. D. H. Chamberlain are :

Messrs. Allen, Corbin, Hayes and Leslie.—4.

Those who voted for Hon. F. J. Moses, Sr., are :

Messrs. Rose and Wimbush.—2.

Mr. McIntyre voted for Hon. A. J. Ransier.

Whole number of votes given.....27

Necessary to a choice.....14

No candidate having received a majority of the whole number of votes given, the Senate proceeded to a

SIXTH BALLOT.

Those who voted for Hon. T. J. Robertson are :

Messrs. Duncan, Greene, Maxwell, Nash, Owens, Rose, Swails, Whittemore.—8.

Those who voted for Mr. M. C. Butler are :

Messrs. Arnim, Bieman, Burroughs, Duvall, Foster, Holcombe, Wilson.—7.

Those who voted for Hon. D. H. Chamberlain are :

Messrs. Allen, Corbin, Hayes, Leslie, Wimbush.—5.

Those who voted for Hon. F. L. Cardozo are :

Messrs. Barber, Cardozo, Dickson, Hayne, Johnston.—5.

Those who voted for Hon. W. B. Nash are :

Messrs. McIntyre, Smalls.—2.

Whole number of votes given.....27

Necessary to a choice.....14

No candidate having received a majority of the votes given, the Senate proceeded to a

SEVENTH BALLOT.

Those who voted for Hon. T. J. Robertson are :

Messrs. Duncan, Greene, Montgomery, Nash, Owens, Smalls, Swails, Whittemore.—8.

Those who voted for Mr. M. C. Butler are :

Messrs. Arnim, Bieman, Burroughs, Duvall, Foster, Holcombe, Wilson.—7.

Those who voted for Hon. F. L. Cardozo are :

Messrs. Barber, Cardozo, Dickson, Hayne, Maxwell.—5.

Those who voted for Hon. D. H. Chamberlain are :

Messrs. Allen, Corbin, Hayes, Leslie.—4.

Those who voted for Hon. F. J. Moses, Sr., are :

Messrs. Johnston, Rose, Wimbush.—3.

Mr. McIntyre voted for Hon. C. W. Montgomery.

Whole number of votes given..... 28

Necessary to a choice..... 15

No candidate having received a majority of the whole number of votes given, the Senate proceeded to an

EIGHTH BALLOT.

Those who voted for Mr. M. C. Butler are :

Messrs. Arnim, Bieman, Burroughs, Duncan, Duvall, Foster, Holcombe, Wilson.—8.

Those who voted for Hon. T. J. Robertson are :

Messrs. Greene, Montgomery, Nash, Swails, Whittemore.—5.

Those who voted for Hon. D. H. Chamberlain are :

Messrs. Allen, Corbin, Leslie, Maxwell.—4.

Those who voted for Hon. F. L. Cardozo are :

Messrs. Barber, Cardozo, Dickson, Hayne.—4.

Those who voted for Hon. C. W. Montgomery are :

Messrs. Johnston, McIntyre, Smalls, Wimbush.—4.

Mr. Hayes voted for Hon. D. T. Corbin.

Mr. Rose voted for Hon. W. B. Nash.

Whole number of votes given..... 27

Necessary to a choice..... 14

No candidate having received a majority of the whole number of votes given, the Senate proceeded to a

NINTH BALLOT.

Those who voted for Hon. T. J. Robertson are :

Messrs. Duncan, Greene, Montgomery, Nash, Owens, Smalls, Swails and Whittemore.—8.

Those who voted for Mr. M. C. Butler are :

Messrs. Arnim, Bieman, Burroughs, Duvall, Foster, Holcombe and Wilson.—7.

Those who voted for Hon. F. L. Cardozo are :

Messrs. Barber, Cardozo, Dickson, Hayne, Johnston and Maxwell.—6.

Those who voted for Hon. D. H. Chamberlain are :

Messrs. Allen, Corbin, Hayes and Leslie.—4.

Mr. McIntyre voted for Hon. C. W. Montgomery.

Mr. Wimbush voted for Hon. F. J. Moses, Sr.

Mr. Rose voted for Hon. C. P. Leslie.

Whole number of votes given..... 28

Necessary to a choice..... 15

No candidate having received a majority of the whole number of votes given,

Mr. ROSE moved that the Senate adjourn.

On the question of agreeing to the motion of the Senator from York,

Mr. SWAILS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Arnim, Barber, Bieman, Burroughs, Cardozo, Corbin, Dickson, Duncan, Duvall, Foster, Hayne, Holcombe, Johnston, Rose and Wilson.—15.

Nays—Messrs. Greene, Hayes, Leslie, Maxwell, McIntyre, Nash, Owens, Smalls, Swails, Whittemore and Wimbush.—11.

The PRESIDENT announced the Senate adjourned at 1:50 P. M.

WEDNESDAY, DECEMBER 7, 1870.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced that, in accordance with the requirements of “An Act to regulate the time and manner of holding elections for Senators in Congress,” the Senate would proceed to the hall of the House of Representatives, to unite with that body in voting for a person to repre-

sent the State of South Carolina in the Senate of the United States, for a term of six years, commencing March 4, 1871.

The Senate proceeded to the hall of the House of Representatives.

JOINT ASSEMBLY.

The two Houses having met in Joint Assembly, it was called to order by Hon. A. J. RANSIER, President of the Senate.

The President announced that, pursuant to Act of Congress, the two Houses were now in Joint Assembly, for the purpose of hearing read so much of the Journals of both Houses as relates to the votes given in each House for a person to represent the State of South Carolina in the Senate of the United States, for a term of six years, commencing March 4, 1871.

The Journals were read.

The PRESIDENT announced the following as the result of the votes given in each House:

SENATE.

Hon. T. J. Robertson received.....	8
Mr. M. C. Butler.....	7
Hon. F. L. Cardozo.....	6
“ D. H. Chamberlain.....	4
“ C. W. Montgomery.....	1
“ F. J. Moses, Sr.....	1
“ C. P. Leslie.....	1
<hr/>	
Whole number of votes given.....	28
Necessary to a choice.....	15

HOUSE OF REPRESENTATIVES.

Hon. T. J. Robertson received.....	40
“ F. J. Moses, Sr.....	34
“ F. L. Cardozo.....	22
“ M. C. Butler.....	22
Col. M. R. Delaney.....	3
Hon. D. H. Chamberlain.....	1
<hr/>	
Whole number of votes given.....	122
Necessary to a choice.....	62

The PRESIDENT announced that no candidate having received a majority, the Joint Assembly would now proceed to vote for a person to represent the State of South Carolina in the Senate of the United States for a term of six years, commencing March 4, 1871.

On motion of Mr. WHITTEMORE, it was

Resolved, That in calling the roll of the respective bodies, the Clerks repeat the name of the person voted for by the person voting.

The PRESIDENT announced nominations in order.

Mr. WHITTEMORE nominated Hon. T. J. Robertson.

Mr. H. E. HAYNE nominated Hon. F. L. Cardozo.

Mr. C. D. HAYNE nominated Hon. F. J. Moses, Sr.

Mr. ARNIM nominated Gen. M. C. Butler.

Mr. BYAS nominated Col. Martin R. Delaney.

The Joint Assembly proceeded to vote.

SENATE

Those who voted for Hon. T. J. Robertson are :

Messrs. Allen, Barber, Dickson, Duncan, Greene, Hayes, Johnston, Maxwell, Montgomery, McIntyre, Nash, Owens, Rose, Smalls, Swails, Whittemore.—16.

Those who voted for Gen. M. C. Butler are :

Messrs. Arnim, Bieman, Burroughs, Duvall, Foster, Holcombe, Wilson.—7.

Those who voted for Hon. F. L. Cardozo are :

Messrs. Cardozo, Hayne.—2.

Those who voted for Hon. F. J. Moses, Sr., are :

Messrs. Leslie, Wimbush.—2.

Whole number of Senators voting.....27

HOUSE OF REPRESENTATIVES.

Those who voted for Hon. T. J. Robertson are :

Messrs. Andell, Barker, Bascomb, Bosemon, Boston, Bowley, L. Cain, E. Cain, Corwin, Cousart, James Davis, T. A. Davis, Elliott, Farr, Ferguson, Ford, Gaither, Gantt, Garey, Giles, Glover, Goodson, S. Greene, J. A. Green, Guffin, Hardy, Harris, Hart, C. D. Hayne, Hedges, Henderson, Hudson, Humbert, Hunter, Hurley, Jackson, Jervey, Johnson, Jones, Keith, Kennedy, Lang, Lee, Lloyd, Logan, Maddocks, McDaniels, T. D. McDowell, W. J. McDowell, Mead, Milton, Mobley, Mickey, Myers, Nehemias, Nerland, Nuckles, Pendergrass, Ramsay, Saunders, Simons, Small, A. Smith, Sumpter, Tarlton, W. M. Thomas, J. W. Thomas, Thompson, Warley, White and Yocom.—71.

Those who voted for Hon. M. C. Butler are :

Messrs. Allen, Bass, Crittenden, Derrick, Doyle, Duncan, Dusenberry, Evans, Hagood, Hough, Kinsler, Litchfield, Lyle, Miles, Perry, Sellers, Shanklin, R. M. Smith, Sullivan, Taylor, Williams, Wilson and Wofford.—23.

Those who voted for Hon. F. J. Moses, Sr., are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Berry, Briggs, Bryan, Byas, Dannerly, Dennis, Frost, Gardner, J. N. Hayne, Humphries, Jamison, Levy, Moore, O'Connell, Reedish, Rivers, Singleton, Wallace, Whipper and Wilkes.—21.

Those who voted for Hon. F. L. Cardozo are :

Messrs. Adamson, Ellison, Goggins, Kuh, Smart and Talbot.—6.

RECAPITULATION.

Hon. T. J. Robertson received.....	87
Hon. M. C. Butler	30
Hon. F. J. Moses, Sr.....	23
Hon. F. L. Cardozo.....	8
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Whole number of votes given	148
Necessary to a choice.....	75
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Whole number of Senators voting.....	27
Whole number of Representatives.....	121

The PRESIDENT declared Hon. T. J. Robertson, having received a majority of the whole number of votes given, duly elected to represent the State of South Carolina in the Senate of the United States for a term of six years, commencing March 4, 1871.

The Joint Assembly then dissolved.

The Senate returned to the Senate Chamber.

On motion of Mr. SWAILS, the Senate adjourned at 1 P. M.

THURSDAY, DECEMBER 8, 1870.

Pursuant to adjournment the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Journal of yesterday was read.

The Senator from Horry asked and obtained leave of absence for a few days, on account of important business.

Mr. SWAILS asked and obtained an extension of ten days' leave of absence for the Senator from Lancaster, on account of continued illness in his family.

Mr. ARNIM rose to a question of privilege, and gave his reasons for the nomination of Gen. M. C. Butler, as a candidate for the office of Senator in the Senate of the United States, from South Carolina. He desired it to be understood that in making the nomination he had not changed front nor swerved one iota from his position in 1868, as a Republican, when he voted for Hon. A. G. Mackey, a true Republican; but he held that Gen. Butler, in accordance with his own public declarations, was a Republican. For himself, he would, as heretofore, always contend for the principles set forth in the true Republican platform.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

Message No. 6, from the House of Representatives, was received and read, as follows:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., December 8, 1870.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that they desire to have corrected the Journals of the Senate as relates to the proceedings of the Joint Assembly of December 7, 1870, wherein the name of "Mr. O'Connell," appears, under caption of House of Representatives, as having voted for Hon. T. J. Robertson, and that it be transferred to those voting for Hon. F. J. Moses, Sr., and so counted; said correction has been made in the House Journal.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker of House of Representatives.

On motion of Mr. ARNIM, a correction of the Journal of the Senate, in accordance with the above, was ordered, and a message returned to the House accordingly.

The House returned, with amendments,

Senate Concurrent Resolution, requesting the heads of the State Departments to transmit to the General Assembly their respective annual reports without delay, amended by striking out the word "requested," and inserting in lieu thereof the word "required," and by striking out the words "without further delay," and inserting in lieu thereof the words and date "by Monday, December 12."

The amendments were concurred in, and a message sent to the House of Representatives accordingly.

ANNUAL REPORTS.

The PRESIDENT laid before the Senate the Annual Reports of the officers of the various Departments of State.

On motion of Mr. ARNIM, it was

Resolved, That two thousand copies of the Annual Reports of the officers of the respective Departments of State be printed for the use of the Senate.

PETITIONS, &c.

Mr. FOSTER presented sundry accounts of M. J. Cantwell, M. D. Hadden, S. M. Putnam, for services rendered as teachers; which were referred to the Committee on Education.

Mr. NASH presented the petition of the Trustees of the Columbia Female College, praying an exemption of the property of said corporation from all State, County and municipal taxes; which was read, and referred to the Committee on Education.

REPORTS OF COMMITTEES.

Mr. HAYES, from the Committee on Privileges and Elections, to whom was referred a Resolution of inquiry as to vacant seats in the Senate from Abbeville, Charleston and Georgetown, reported back the same, with the information that it appears, upon investigation, that vacancies in the office of Senator exist in Abbeville and Georgetown Counties, and the Committee ask for further time for consideration of the vacancy suggested to exist in the office of Senator from Charleston County.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed

Joint Resolution authorizing the Attorney-General to purchase a fire-proof safe for the use of the Attorney-General's office.

On motion of Mr. WHITTEMORE, the Rule was suspended, and the Resolution taken up for a third reading.

The Resolution received its third reading.

On the question of agreeing to the Resolution, and ordering it to be sent, to the House of Representatives.

Mr. WHITTEMORE called the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Barber, Cardozo, Dickson, Duncan, Greene,

Hayes, Hayne, Johnston, Leslie, Maxwell, Montgomery, McIntyre, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wimbush—20.

Nays—Messrs. Bieman, Burroughs, Duvall, Foster, Holcombe, Wilson—6.

So the Resolution passed, and was ordered to be sent to the House of Representatives.

NOTICES OF BILLS.

Mr. WHITTEMORE gave notice that he will on to-morrow, or the subsequent day, ask leave to introduce

A Bill to amend an Act entitled "An Act defining the jurisdiction and regulating the practice of the Probate Courts;"

A Bill to repeal the Lien Law.

Mr. WILSON gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to define the law in relation to certain easements, and for other purposes.

Mr. WIMBUSH gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to incorporate the Stonewall Fire Engine Company, of Chester, S. C.

BILLS INTRODUCED.

Mr. SMALLS, pursuant to notice, introduced

A Bill to provide for the construction and keeping in repair of public highways and roads.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. HAYNE, pursuant to notice, introduced

A Bill to provide a salary for the office of Lieutenant-Governor.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. GREENE, pursuant to notice, introduced

A Bill to amend an Act entitled "An Act to regulate the fees of Probate Judges, Clerks of Courts, Trial Justices and Magistrates, and other officers herein mentioned."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WIMBUSH, from the Committee on Incorporations, introduced the following Bills:

A Bill to amend the charter of the Columbia Bridge Company;

A Bill to repeal an Act to provide for a Sinking Fund and the management of the same;

A Bill to extend the limits of the town of Camden ;

A Bill to alter and amend an Act entitled "An Act to alter and amend the charter of the city of Greenville, and for other purposes."

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to provide for the protection of persons, property and the public peace, and to tax real estate for the expense of the same.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

MESSAGE FROM THE GOVERNOR.

Message No. 2 from His Excellency the Governor was announced and presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The Message was read, as follows :

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, December 8, 1870.

To the President of the Senate.

SIR: I acknowledge the receipt of a Preamble and Resolution adopted by the Senate on the 5th instant, in the following terms :

Whereas, by Section 13 of an Act entitled "An Act to provide for the government of the South Carolina Penitentiary," approved 21st day of September, 1868, the Governor is authorized, by and with the advice and consent of the Senate, to appoint three Directors of the State Penitentiary ; and whereas the Senate has not received any information of such appointment at the previous session ; therefore, be it

Resolved, That His Excellency the Governor be requested to inform the Senate whether any appointments of Directors have been made, and for how long a time the Penitentiary has been conducted without Directors.

(Signed)

A. J. RANSIER,
President of the Senate.

Attest : J. WOODRUFF,
Clerk of Senate.

In reply to this document, intimating, on the part of the Executive, a grave dereliction of official duty, I would respectfully present the following extract from the Executive Journal of the Senate :

IN THE SENATE, COLUMBIA, S. C., January 26, 1869.

The Senate, at 2:45 P. M., went into Executive session.

Message No. 25 of His Excellency the Governor was read, as follows :

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, S. C., January 26, 1869.

To the Senate of South Carolina.

GENTLEMEN OF THE SENATE: I hereby nominate for your advice and consent Cyrus H. Baldwin, Robert N. Lewis and Wm. B. Nash as Directors of the State Penitentiary.

Very respectfully,
(Signed) ROBERT K. SCOTT,
Governor.

On the question, "Does the Senate advise and consent to the appointment of Cyrus H. Baldwin, Robert N. Lewis and Wm. B. Nash as Directors of the State Penitentiary?" it was determined, unanimously, in the affirmative.

Yeas, 19 ; nays, none.

So it was

Resolved, That the Senate do advise and consent to the appointment of Cyrus H. Baldwin, Robert N. Lewis and William B. Nash, agreeably to the nomination.

J. WOODRUFF,
Clerk of Senate.

Pursuant to their confirmation, Messrs. Baldwin, Lewis and Nash immediately thereafter received their appointments, and entered upon the discharge of their duties. Mr. Lewis having departed this life in the recess of the Legislature, Hon. W. H. Wigg was appointed to succeed him, in the August following, and I have reason to believe that the duties of the Directors have since been regularly and efficiently discharged, and that at no time whatever has the Penitentiary been conducted without Direction.

Very respectfully,
(Signed) ROBERT K. SCOTT,
Governor.

On motion of Mr. MONTGOMERY, the Message was referred to the Committee on the Penitentiary.

UNFINISHED BUSINESS.

The Senate resumed the consideration of the Unfinished Business, to wit :

Bill to renew and amend the charter of the town of Abbeville.

The Bill having received its second reading, and there being no further amendments,

The question was taken on agreeing to the Bill, as amended, and decided in the affirmative.

Ordered, That it be engrossed for a third reading.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Bill to charter the town of Yorkville.

The Bill received its second reading, and was taken up for consideration as in Committee of the Whole, and by Sections.

On motion of Mr. WHITTEMORE, the Bill was amended by striking out, wherever it occurred, the word "Magistrate," and inserting in lieu thereof the words "Trial Justice or other inferior Courts."

Mr. ARNIM moved to amend Section 6, in the fifth line, printed Bill, by striking out the words "of Roads," and inserting, before the word "Commissioners," the word "County."

After debate, participated in by Messrs. Nash, Arnim, Leslie, Whittemore,

The question was taken on agreeing to the amendment of the Senator from Edgefield, and decided in the negative.

Mr. NASH moved to amend Section 7, in the fifth line, printed Bill, by inserting between the words "conditions" and "as," the words "*Provided*, Said rates shall not exceed one hundred dollars."

After debate, participated in by Messrs. Swails, Rose, Whittemore,

The question was taken on agreeing to the amendment proposed by the Senator from Richland, and decided in the negative.

Mr. SWAILS moved to amend Section 10 by striking out the following: "That said Town Council of Yorkville shall have power to grant licenses to parties within the limits of said town, and the parties to whom said licenses are granted shall pay the same amount as charged by the County Commissioners."

The question was taken on agreeing to the amendment proposed by the Senator from Williamsburg, and decided in the negative.

Mr. WHITTEMORE moved to amend Section 10, in the third line, by striking out the words "the same amount as charged by the County Commissioners," and inserting in lieu thereof the words "a sum not exceeding one hundred dollars."

After debate, participated in by Messrs. Wimbush, Rose and Whittemore,

Mr. WIMBUSH moved that the further consideration of the amend-

ment proposed by the Senator from Darlington, be indefinitely postponed.

The question was taken on agreeing to the motion of the Senator from Chester, and decided in the negative.

The question was taken on agreeing to the amendment of the Senator from Darlington, and decided in the affirmative.

On motion of Mr. MONTGOMERY, Section 12 was amended, in the second line, printed Bill, by striking out the word "twenty," and inserting in lieu thereof the word "fourteen."

There being no further amendments,

The Bill passed, and was ordered to be engrossed for a third reading.

On motion of Mr. MONTGOMERY, the consideration of the General Orders was suspended.

EXECUTIVE COMMUNICATIONS.

Mr. MONTGOMERY moved that a Special Committee of three be appointed by the President, to wait upon His Excellency the Governor, and inform him that the Senate is now ready to receive any communications of an Executive character he may be pleased to make to the Senate.

After debate, participated in by Messrs. Leslie, Montgomery and Whittemore,

Mr. HAYNE moved that the motion of the Senator from Newberry be laid on the table.

On the question of agreeing to the motion of the Senator from Marion, Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Bieman, Borroughs, Duncan, Duvall, Foster, Hayes, Hayne, Holcombe, Leslie, Nash, Swails, Whittemore, Wilson, Wimbush.—15.

Nays—Messrs. Arnim, Barber, Cardozo, Dickson, Greene, Johnston, Maxwell, Montgomery, Owens, Rose, Smalls.—11.

So the motion of the Senator from Newberry was ordered to lie on the table.

On motion of Mr. SWAILS, the Senate took up out of its order for consideration,

Resolution to fix the number of members of Senate Standing Committees.

Mr. MONTGOMERY moved that the Resolution be laid on the table.

The question was taken on agreeing to the motion of the Senator from Newberry, and decided in the negative.

Mr. SWAILS moved that the further consideration of the Resolution be indefinitely postponed.

After debate, participated in by Messrs. Leslie, Montgomery, Whittemore, Swails, Smalls, Johnston,

On the question of agreeing to the motion of the Senator from Williamsburg,

Mr. LESLIE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Barber, Bieman, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Leslie, Maxwell, Owens, Swails, Wimbush.—14.

Nays—Messrs. Cardozo, Dickson, Johnston, Montgomery, Smalls, Whittemore, Wilson.—7.

So the further consideration of the Resolution was indefinitely postponed.

Mr. SWAILS moved that the vote whereby the further consideration of the Resolution was indefinitely postponed be reconsidered, and that the motion for reconsideration be laid on the table.

The question was taken on agreeing to the motion of the Senator from Williamsburg, and decided in the affirmative.

On motion of Mr. HAYNE, the Senate took up, out of its order, for consideration,

Bill to make appropriation for the payment of the per diem and mileage of the members of the General Assembly, and the salaries of the subordinate officers, and other expenses incidental thereto.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. BARBER, the Senate adjourned at 2:30 P. M.

FRIDAY, DECEMBER 9, 1870.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Rev. Dr. Commings.

The Journal of yesterday was read.

Mr. SWAILS asked and obtained leave of absence for five days, on account of illness in his family.

PETITIONS, &c.

Mr. NASH presented the account of J. W. Denny, for stationery furnished the Senate ; which was referred to the Committee on Contingent Accounts and Expenses.

Mr. SMALLS presented the Report of S. J. Atkinson, Solicitor, on the condition of the County Offices in the Third Judicial Circuit ; which was referred to the Committee on County Offices and Officers.

REPORTS OF COMMITTEES.

Mr. SWAILS, from the Committee on Public Lands, to whom were referred the Resolution of Hon. G. F. McIntyre, asking the appointment of a Special Committee to investigate the accounts of Hon. Niles G. Parker, State Treasurer ; also, the accounts of the Land Commissioners ; also, a Concurrent Resolution from the House of Representatives, to appoint a Joint Special Committee, to investigate the transactions of the Land Commissioners ; also, the Concurrent Resolution of Hon. E. S. J. Hayes, asking the appointment of a Committee, to consist of three Senators and ——— members on the part of the House, reported back the same, with the recommendation that the Resolution of the Hon. George F. McIntyre, and the Concurrent Resolution from the House of Representatives, do lie upon the table, and the Resolution of Hon. E. S. J. Hayes be agreed to.

Mr. WHITTEMORE, from the same Committee, submitted a minority Report, with a recommendation that Messrs. Whittemore, Owens and Corbin be appointed a Special Committee to investigate the affairs of the Land Commission, passed and present, with power to send for persons and papers.

The Reports were ordered for consideration on Monday next, and to be printed.

RESOLUTIONS.

Mr. NASH introduced the following Resolution :

Resolved, That the Printing Committee of the Senate be required to advertise proposals to receive bids for the current and permanent printing of this body for the present term of the General Assembly.

Mr. ARNIM moved that the Rules be suspended, and the Resolution considered immediately.

Objection being made, the Resolution was ordered for consideration on Monday.

NOTICES OF BILLS.

Mr. GREENE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to extend the jurisdiction of the Courts of Probate ;

A Bill to amend an Act entitled "An Act to revise, simplify and abridge the Rules, practice, pleadings and forms of the Courts in this State."

Mr. WILSON gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to allow judgment debtors to sell their real and personal property, or otherwise dispose of the same, and to confirm sales already made, in compliance with certain conditions therein specified ;

A Bill supplementary to the Acts entitled Acts "To determine," and "To further determine and perpetuate the homestead," approved the 9th day of September, 1868, and the 1st day of March, 1870.

BILLS INTRODUCED.

Mr. HAYNE, pursuant to notice, introduced

A Bill to amend so much of an Act entitled "An Act to revise, simplify and abridge the Rules, practice, pleadings and forms of Courts in this State" as pertains to the Third, Fourth and Fifth Judicial Circuits of the State.

The Bill received its first reading, and was ordered for consideration on Monday.

Mr. WIMBUSH, from the Committee on Incorporations, introduced A Bill to incorporate the town of Timmons ville.

The Bill received its first reading, was ordered for a second reading and consideration on Monday, and to be printed.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Hon. C. W. MONTGOMERY, President *pro tempore*, took the Chair.

Bill to amend an Act entitled "An Act to establish a State Orphan Asylum."

The Bill received its second reading, and was considered as in Committee of the Whole, and by Sections.

There being no amendments, it was

Ordered, That it be engrossed for a third reading.

Report of the Committee on Incorporations on a Bill to renew the charter of the Orangeburg Presbyterian Church Society.

The Report was read, and the Bill taken up for consideration.

The Bill received its second reading, and was considered as in Committee of the Whole, and by Sections.

There being no amendments, the question was taken on agreeing to the Bill, and decided in the affirmative.

Ordered, That it be engrossed for a third reading.

Report of the Committee on Charitable Institutions on Resolution to authorize the President to appoint a Standing Committee of five on the Lunatic Asylum.

The Report was read, and taken up for consideration.

Pending debate on the question of agreeing to the Report, participated in by Messrs. Nash, Swails, Arnim and Whittemore,

The Sergeant-at-Arms announced :

MESSAGE FROM THE GOVERNOR.

Message No. 3, from His Excellency the Governor, was presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary

The PRESIDENT announced that the Message related to Executive Business.

On motion of Mr. HAYNE, the further consideration of the Message was made the Special Order for this day, at 2 P. M.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

Report of the Committee on Charitable Institutions on Resolution to authorize the President to appoint a Standing Committee of five on the Lunatic Asylum.

On the question of agreeing to the Report,

Mr. ARNIM called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Barber, Cardozo, Dickson, Duncan, Duvall, Foster, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, McIntyre, Owens, Smalls, Swails, Whittemore, Wilson, Wimbush.—22.

Nays—Messrs. Arnim, Nash.—2.

So the Report of the Committee was agreed to, and the Resolution ordered to lie on the table.

On motion of Mr. WHITTEMORE, the consideration of the General Orders was suspended for the purpose of introducing a Resolution.

RESOLUTIONS.

Mr. WHITTEMORE introduced the following Resolution :

Resolved, That the Committee on Charitable Institutions be required to investigate all matters pertaining to the same, and report immediately.

Mr. WHITTEMORE moved that the Rules be suspended, and the Resolution considered immediately.

Objection being made, the Resolution was ordered for consideration on Monday next.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

Report of the Committee on Accounts and Expenses on sundry contingent accounts of A. Thomas and G. G. Newton against the Senate.

The question was taken on agreeing to the Report, and decided in the affirmative.

Report of the Committee on the Judiciary on

Bill to incorporate the Port Royal Improvement Company.

On motion of Mr. LESLIE, the further consideration of the above Report was postponed to Monday next.

A Bill to regulate the taking of bail in criminal cases.

The question was taken on agreeing to the Report, and decided in the affirmative.

Ordered, That the Bills do lie upon the table.

Report of the Committee on Privileges and Elections on

A Resolution relative to the returns of the election for Senator of Chesterfield County.

The question was taken on agreeing to the Report, and decided in the affirmative.

On motion of Mr. SMALLS, the Senate took up, out of its order, for consideration,

A Bill to provide for the construction and keeping in repair of public highways and roads.

On motion of Mr. SMALLS, the Bill was read by its title, and referred to the Committee on Roads, Bridges and Ferries.

Reports of the Committee on the Judiciary on

A Bill to alter and amend an Act entitled "An Act to provide a mode by which to perpetuate testimony in relation to deeds, wills, choses in action, and other papers and records destroyed or lost during the recent war ;

A Bill to vest the title of the State to a lot of land in the village of Orangeburg, of which Deidrich Klepping died seized, in the purchaser

or purchasers who shall pay for the premises, under a sale made by a decree of the Probate Court of Charleston County, and to direct the application of the proceeds of sale.

The Reports were read, and the Bills taken up for a first reading.

The Bills received their first reading, were ordered for a second reading and consideration on Monday next, and to be printed.

Resolution to authorize the Committee on Privileges and Elections to send for persons and papers in the contested election case of P. B. Tompkins *versus* F. A. Clinton, Senator from Lancaster County.

The Resolution was taken up for consideration.

After debate, participated in by Messrs. Smalls and Leslie,

On motion of Mr. LESLIE, the further consideration of said Resolution was postponed to Monday next.

Resolution requesting the Secretary of State to forward to the Senate election returns for Senator from Charleston County.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Resolution to direct the Committee on Privileges and Elections to inquire as to the eligibility of Hon. D. T. Corbin to a seat in the Senate.

The Resolution was taken up for consideration.

Mr. WHITTEMORE moved that the further consideration of the Resolution be postponed, and made the Special Order for Tuesday next, at 1 P. M.

After debate, participated in by Messrs. McIntyre, Leslie, Nash, Johnston, Smalls, Whittemore,

On the question of agreeing to the motion of the Senator from Darlington,

Mr. SMALLS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Arnim, Barber, Bieman, Dickson, Duncan, Duvall, Foster, Greene, Hayes, Hayne, Holcombe, Leslie, Montgomery, Owens, Rose, Swails, Whittemore, Wilson.—19.

Nays—Messrs. Cardozo, Johnston, Maxwell, McIntyre, Nash, Smalls, Wimbush.—7.

So the motion of the Senator from Darlington was agreed to, the further consideration of the Resolution postponed, and made the Special Order for Tuesday next, at 1 P. M.

On motion of Mr. SWAILS, the consideration of the General Orders was suspended.

RESOLUTIONS.

Mr. SWAILS introduced the following Resolution :

Resolved, That the action of the Senate in concurring in House amend-

ments to Senate Concurrent Resolution, which fixed the time for the election of an Associate Justice for the Supreme Court, and a Judge for the First Circuit on the 10th instant, be, and is hereby, rescinded.

On motion of Mr. SWAILS, the Rules were suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Mr. WHITTEMORE introduced the following Resolution :

Resolved by the Senate, the House of Representatives concurring, That, in Joint Assembly, they enter into an election of Associate Justice of the Supreme Court of South Carolina, and Circuit Judge of the First Judicial Circuit, at 2:30 P. M. this day.

On motion of Mr. SWAILS, the Rules were suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Ordered, That it be sent to the House of Representatives for concurrence.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

Resolution to appoint a Committee of three to examine the accounts of the State Treasurer.

The Resolution was taken up for consideration.

After debate, participated in by Messrs. Hayne, Arnim, Leslie and Nash,

On motion of Mr. HAYNE, the Resolution was ordered to lie on the table.

On motion of Mr. WIMBUSH, the Senate took up out of its order for consideration,

Bill to provide a salary for the office of Lieutenant-Governor.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. SWAILS moved that Section one be amended in the second line, printed Bill, by striking out, before the word "dollars," the words "twenty-five hundred," and inserting in lieu thereof the words "three thousand."

On the question of agreeing to the motion of the Senator from Williamsburg,

Mr. LESLIE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas.—Messrs. Arnim, Barber, Hayne, Johnston, Maxwell, Montgomery, McIntyre, Swails, Wimbush —9.

Nays—Messrs. Allen, Bieman, Cardozo, Dickson, Duncan, Duvall, Foster, Greene, Hayes, Holcombe, Leslie, Nash, Rose, Smalls, Whittemore, Wilson.—16.

So the amendment proposed by the Senator from Williamsburg was not agreed to.

The question was then taken on agreeing to the Bill, and decided in the affirmative.

Ordered, That it be engrossed for a third reading.

EXECUTIVE SESSION.

At 12 M. the Senate went into Executive session.

After the disposal of Executive business,

The Senate returned to open session.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders :

A Bill to incorporate the Pleasant Grove Baptist Church, in Darlington County, S. C.

On motion of Mr. ARNIM, the Bill was read by its title, and referred to the Committee on Incorporations.

Joint Resolution to provide for the adjustment of the Fire Loan Debt.

On motion of Mr. ARNIM, the Joint Resolution was read by its title, and referred to the Committee on Finance.

Report of the Committee on Claims on accounts of Messrs. Bryan & McCarter.

The Report was agreed to, and ordered to be sent to the House of Representatives.

Report of the Committee on Education on a Bill to amend an Act entitled "An Act to establish and maintain a system of free common schools for the State of South Carolina."

On motion of Mr. WHITTEMORE, the further consideration of the Report was postponed and made the Special Order for Monday next, at 1 P. M.

Report of the Committee on Education on a House Concurrent Resolution to appoint a Joint Committee to investigate the claims of school teachers.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Ordered, That the Resolution do lie on the table.

Bill to repeal so much of the Act of 1839 as prohibits the Clerks of

the Courts of the State from acting as Attorneys and Solicitors in the Courts of the State.

On motion of Mr. SWAILS, the Bill was read by its title, and referred to the Committee on the Judiciary.

Bill to repeal the bastardy laws of the State.

On motion of Mr. SWAILS, the Bill was read by its title, and referred to the Committee on the Judiciary.

Bill to provide for the creation and regulation of independent agricultural societies.

On motion of Mr. HAYNE, the Bill was read by its title, and referred to the Committee on Agriculture.

Report of the Committee on Privileges and Elections on a Resolution of inquiry as to vacant seats in the Senate from Abbeville, Charleston and Georgetown Counties.

On motion of Mr. WHITTEMORE, the Report was recommitted to the Committee on Privileges and Elections, with instructions to report separately on the vacancies therein mentioned.

Bill to repeal an Act entitled "An Act to provide for a Sinking Fund, and the management of the same."

On motion of Mr. WIMBUSH, the Bill was read by its title, and referred to the Committee on Finance.

Bill to extend the limits of the town of Camden.

On motion of Mr. CARDOZO, the further consideration of the Bill was postponed to Monday next.

Bill to alter and amend an Act entitled "An Act to alter and amend the charter of the city of Greenville, and for other purposes."

On motion of Mr. WHITTEMORE, the further consideration of the Bill was postponed to Monday next.

Bill to amend the charter of the Columbia Bridge Company.

On motion of Mr. ARNIM, the further consideration of the Bill was postponed, and made the Special Order for Thursday next, at 1 P. M.

Bill to amend an Act entitled "An Act to regulate the fees of Probate Judges, Clerks of Courts, Trial Justices and Magistrates, and other officers herein mentioned."

On motion of Mr. GREENE, the Bill was read by its title, and referred to the Committee on the Judiciary.

Bill to provide for the protection of persons, property and the public peace, and to tax real estate for the expense of the same.

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on the Judiciary.

RECESS.

On motion of Mr. HAYNE, the Senate, at 2:20 P. M., took a recess for ten minutes.

At the expiration of that time, the PRESIDENT resumed the Chair.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned, with concurrence,

Senate Concurrent Resolution to enter into an election for an Associate Justice of the Supreme Court, and Judge of the First Judicial Circuit, this day, at 2:30 P. M.

JOINT ASSEMBLY.

Pursuant to Concurrent Resolution, agreed to by both Houses, the Senate, at 2:30 P. M., proceeded to the Hall of the House of Representatives.

The two Houses having met in Joint Assembly, it was called to order by Hon. A. J. RANSIER, President of the Senate.

The PRESIDENT announced that agreeably to Concurrent Resolution, the two Houses were now in Joint Assembly for the purpose of proceeding to an election for an Associate Justice of the Supreme Court for the term of six years, and a Judge to fill the vacancy in the First Judicial Circuit, occasioned by the resignation of R. B. Carpenter.

The Joint Assembly proceeded to vote for an Associate Justice of the Supreme Court for the term of six years.

Mr. HAYNE nominated Hon. J. J. Wright.

Mr. BOSTON nominated Hon. S. L. Hoge.

Mr. CRITTENDEN nominated Mr. C. D. Melton.

SENATE.

Those who voted for Hon. J. J. Wright are :

Messrs. Allen, Barber, Cardozo, Dickson, Hayes, Hayne, Johnston, Leslie, Maxwell, Montgomery, Nash, Smalls, Swails, Whittemore, Wimbush.—15.

Those who voted for Mr. C. D. Melton are :

Messrs. Bieman, Duvall, Holcombe.—3.

Mr. Greene voted for Hon. S. L. Hoge.

Whole number of Senators voting.....19

HOUSE OF REPRESENTATIVES.

Those who voted for Hon. J. J. Wright are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Adamson, Andell, Bascomb, Bosemon, Bowley, Bryant, Byas, L. Cain, E. Cain, Corwin, Cousart, Crews, James Davis, T. A. Davis, Dennis, Elliott, Ellison, Farr, Ford, Frost, Gaither, Gantt, Gardner, Garey, Giles, Glover, Goodson, Goggins, S. Greene, John A. Green, Hardy, Harris, Hart, C. D.

Hayne, Henderson, Hudson, Humbert, Humphries, Hunter, Hurley, Jamison, Jervay, Johnson, Jones, Keith, Kuh, Lang, Lee, Lloyd, Logan, Maddocks, McDaniels, T. D. McDowell, W. J. McDowell, Mead, Milton, Mobley, Mickey, Myers, Nuckles, Pendergrass, Perry, Ramsay, Reedish, Rivers, Saunders, Simons, Singleton, Small, Smart, A. Smith, Sumpter, Talbott, Tarlton, W. M. Thomas, J. W. Thomas, Thompson, Wallace, Warley, White, Wilkes.—82.

Those who voted for Mr. C. D. Melton are :

Messrs. Allen, Bass, Crittenden, Derrick, Doyle, Duncan, Dusenberry, Hagood, Kinsler, Lyle, Sellers, R. M. Smith, Sullivan, Taylor, Williams, Wilson.—16.

Those who voted for Hon. S L. Hoge are :

Messrs. Barker, Boston, Dannerly, Guffin, Jackson, Kennedy, O'Connell, Yocom —8.

Mr. Whipper voted for Mr. L. Cain.

RECAPITULATION.

Hon. J. J. Wright received.....	97
“ S L. Hoge.....	17
Mr. C. D. Melton.....	19
Mr. L. Cain.....	1
<hr/>	
Whole number of votes given.....	134
Necessary to a choice.....	68

The PRESIDENT declared Hon. J. J. Wright, having received a majority of the whole number of votes given, duly elected Associate Justice of the Supreme Court for the term of six years.

The Joint Assembly proceeded to vote for a Judge of the First Judicial Circuit, to fill the vacancy occasioned by the resignation of R. B. Carpenter.

Mr. DENNIS nominated Hon. R. F. Graham.

Mr. C. D. HAYNE nominated Mr. Wm. Whaley.

Mr. L. CAIN nominated Hon. W. J. Whipper.

SENATE.

Those who voted for Hon. R. F. Graham are :

Messrs. Allen, Arnim, Barber, Cardozo, Dickson, Greene, Hayne, Johnston, Montgomery, Nash, Smalls, Swails, Whittemore, Wimbush.—14.

Those who voted for Mr. Wm. Whaley are :

Messrs. Bieman, Duvall, Holcombe, Maxwell.—4.

Whole number of Senators voting..... 18

JOURNAL OF THE SENATE, HOUSE OF REPRESENTATIVES.

Those who voted for Mr. R. F. Graham are:

Hon. F. J. Moses, Jr., Speaker, and Messrs. Adamson, Barker, Bascomb, Bosemon, Boston, Bowley, Bryan, Byas, E. Cain, Corwin, Cousart, Crittenden, Dannerly, Jas. Davis, T. A. Davis, Dennis, Duncan, Elliott, Ellison, Ford, Frost, Gaither, Gantt, Gardner, Garey, Giles, Glover, Goodson, Goggins, S. Greene, J. A. Green, Guffin, Hardy, Harris, Hart, C. D. Hayne, Hedges, Henderson, Humbert, Humphries, Hunter, Jackson, Jervey, Johnson, Jones, Keith, Kennedy, Kuh, Lang, Lee, Logan, Maddocks, McDaniels, T. D. McDowell, W. J. McDowell, Mead, Milton, Mobley, Mickey, Nuckles, O'Connell, Pendergrass, Perry, Ramsay, Reedish, Rivers, Saunders, Simons, Singleton, Small, Smart, A. Smith, R. M. Smith, Sullivan, Sumpter, Talbott, Tarlton, Taylor, William M. Thomas, J. W. Thomas, Thompson, Warley, Whipper, White, Wilkes, Wilson, Wofford, Yocom.—89.

Those who voted for Mr. Wm. Whaley are:

Messrs. Derrick, Doyle, Dusenberry, Hagood, Kinsler, Shanklin, Williams.—7.

Those who voted for Hon. W. J. Whipper are:

Messrs. L. Cain, J. N. Hayne, Wallace —3.

Those who voted for Mr. W. R. Jervey are:

Messrs. Andell, Farr.—2.

Mr. Hurley voted for Mr. J. P. Low.

Mr. Jamison voted for Hon. R. B. Elliott.

Mr. Levy voted for Mr. E. Mickey.

Mr. Lloyd voted for Mr. R. Bryan.

Mr. Myers voted for Hon. R. Smalls.

RECAPITULATION.

Mr. R. F. Graham received.....	103
Mr. Wm. Whaley.....	11
Hon. W. J. Whipper.....	3
Hon. W. R. Jervey.....	2
Mr. J. P. Low.....	1
Hon. R. B. Elliott.....	1
Hon. E. Mickey.....	1
Hon. R. Bryan.....	1
Hon. R. Smalls.....	1

Whole number of votes given.....124

Necessary to a choice..... 63

The PRESIDENT declared Hon. R. F. Graham, having received a

majority of the whole number of votes given, duly elected Judge of the First Circuit, to fill the vacancy occasioned by the resignation of R. B. Carpenter.

The Joint Assembly then dissolved.

The Senate then returned to the Senate Chamber.

On motion of Mr. WHITTEMORE, it was

Resolved, That when the Senate adjourns, it shall stand adjourned to meet on Monday, at 12 M.

On motion of Mr. HAYNE, the Senate adjourned at 3:20 P. M.

MONDAY, DECEMBER 12, 1870.

Pursuant to adjournment, the Senate assembled at 12 M, and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Rev. Mr. Berkley.

The Journal of Friday, with the exception of so much as related to the proceedings in Joint Assembly, was read.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

Concurrent Resolution to appoint a Joint Committee to investigate the affairs of the Constabulary Department.

On motion of Mr. NASH, the Resolution was referred to the Committee on Retrenchments.

PETITIONS, &c.

Mr. HAYNE presented the petition of the Charleston Land Company, praying permission to establish a ferry between Charleston and various points on Wando River; which was read and referred to the Committee on Roads, Bridges and Ferries.

Mr. ARNIM presented the accounts of Isaac Boles, ex-Sheriff of Edgefield County, for tax executions returned *nulla bona*, accompanied by the opinion of the Attorney-General; which was referred to the Committee on Contingent Accounts and Expenses.

JOURNAL OF THE SENATE,
COMMUNICATIONS.

The PRESIDENT laid before the Senate the following :

EXECUTIVE DEPARTMENT,
OFFICE OF AUDITOR OF STATE,
COLUMBIA, S. C., December 10, 1870.

To the Honorable the President of the Senate.

SIR : In response to the Resolution requiring this department to transmit its annual report by Monday, December 12th, I would respectfully state that the report of the State Auditor was sent into the Executive office, for transmission to the General Assembly, on Monday, the 28th day of November.

I have the honor to be,

Very respectfully, your obedient servant,

REUBEN TOMLINSON,

State Auditor.

EXECUTIVE DEPARTMENT,
STATE TREASURY OFFICE,
COLUMBIA, S. C., December 12, 1870.

J. WOODRUFF, Esq., *Clerk of Senate of South Carolina.*

SIR : In reply to your favor of the 9th inst., transmitting copy of Resolution requiring report of State Treasurer for fiscal year ending October 31, 1870, I respectfully state that my report is embraced, entire, in that of the Comptroller-General, (which I understand will be forwarded to your honorable body to-day, (and to which I refer you), for the purposes of convenience and facility.

I am, very respectfully,

Your obedient servant,

NILES G. PARKER,

Treasurer State of South Carolina.

OFFICE OF THE LAND COMMISSION,
COLUMBIA, S. C., December 12, 1870.

To the Honorable the Senate and House of Representatives.

GENTLEMEN : I am in receipt of a copy of the Concurrent Resolution of your honorable bodies calling upon me for a report of my department.

I have the honor to inform your honorable bodies that I am now engaged upon my report, and will press it forward with all possible dispatch.

The cause of the delay is the fact that I am unable to complete my report until I shall receive the reports of the County Agents of this de-

partment. These agents are unable to complete their reports until the crops are gathered, so as to enable the lands to be settled.

In a short time now this delay will cease, and my report will be in readiness.

I am, gentlemen, your obedient servant,
ROBT. C. DELARGE,
Land Commissioner of South Carolina.

The PRESIDENT also laid before the Senate the following endorsement on copy of Senate Concurrent Resolution relative to reports from the various State Departments:

Returned to the Honorable the Senate with the information that the annual report of this department was, on yesterday, transmitted to the House of Representatives by His Excellency the Governor.

J. K. JILLSON,
State Superintendent of Education, S. C.

December 9, 1870.

On motion of Mr. HAYNE, the above communications and endorsement were received as information.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to make appropriations for the payment of the per diem and mileage of the members of the General Assembly, and the salaries of the subordinate officers, and other expenses incidental thereto.

On motion of Mr. WHITTEMORE, the Rule was suspended, and the report considered immediately.

The Bill received its third reading.

On the question, "Shall the Bill pass?"

Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Arnim, Barber, Cardozo, Dickson, Duvall, Foster, Greene, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, McIntyre, Nash, Owens, Rose, Smalls, Whittemore, Wilson, Wimbush.—22.

Nays—None.

So the Bill passed, and was ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to provide a salary for the office of Lieutenant-Governor of the State.

On motion of Mr. WHITTEMORE, the Rule was suspended, and the report considered immediately.

The Bill received its third reading.

On motion of Mr. LESLIE, and by unanimous consent of the Senate, the Bill was amended by the addition of the following: "The said salary to be exclusive of the pay heretofore provided by law for the Lieutenant-Governor whilst acting as President of the Senate."

The Bill, as amended, passed, and was sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to amend an Act entitled "An Act to establish a State Orphan Asylum."

Ordered for consideration to-morrow.

Mr. GREENE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to renew the charter of the Orangeburg Presbyterian Church Society.

Ordered for consideration to-morrow.

Mr. NASH, from the Committee on Contingent Accounts and Expenses, to whom was referred sundry contingent accounts against the Senate, reported back the same, with the recommendation that the accounts be paid.

On motion of Mr. NASH, the Rule was suspended, and the reports considered immediately.

The question was taken on agreeing to the reports, and decided in the affirmative.

Mr. GREENE, from the Committee on Finance, to whom was referred a Joint Resolution to provide for the adjustment of the Fire Loan Debt, so called, reported back the same, with the recommendation that the Resolution be ordered to lie on the table.

Ordered for consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. ARNIM, from the Committee on Public Buildings, introduced the following Resolution:

Resolved by the Senate, the House of Representatives concurring, That the Committees on Public Buildings of both Houses be, and are hereby, instructed to inquire into the expediency of heating the Lunatic Asylum by means of steam pipes.

Ordered for consideration to-morrow.

NOTICES OF BILLS.

Mr. HAYNE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to repeal an Act entitled "An Act to establish the Constabulary force of South Carolina."

Mr. CARDOZO gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to empower the State to maintain the beneficiaries in the Lunatic Asylum, instead of the Counties.

BILLS INTRODUCED.

Mr. ALLEN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill authorizing the Governor to appoint a Sheriff in the County of Greenville, to fill the unexpired term of A. B. Vickers, deceased.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. GREENE, pursuant to notice, introduced

A Bill to extend the jurisdiction of Probate Judges of this State.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. GREENE, pursuant to notice, introduced

A Bill to amend an Act entitled "An Act to revise, simplify and abridge the rules, practice, pleadings and forms of Courts of this State."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WILSON, pursuant to notice, introduced

A Bill to define the law in relation to certain easements, and for other purposes.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. GREENE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Joint Resolution authorizing the Attorney-General to employ assistance in certain suits now pending, and making an appropriation to pay for the same.

The Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Bill to amend so much of an Act entitled "An Act to revise, simplify and abridge the rules, practice, pleadings and forms of Courts in this State, as pertains to the Third, Fourth and Fifth Judicial Circuits of the State."

On motion of Mr. HAYNE, the Bill was read by its title, and referred to the Committee on the Judiciary.

Bill to incorporate the town of Timmons ville.

The Bill received its second reading.

On motion of Mr. ARNIM, the Bill was amended by striking out, wherever it occurred, the word "Magistrate," and inserting, in lieu thereof, the words "Trial Justice."

Pending the consideration of Section 4,

The PRESIDENT announced the hour arrived for the consideration of the

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M.:

Report of the Committee on Education on a Bill to amend an Act entitled "An Act to establish and maintain a system of Free Common Schools for the State of South Carolina."

Mr. HAYNE moved that the Special Order be discharged, and the further consideration of the Report be made the Special Order for Thursday next, at 1 P. M.

Mr. WHITTEMORE moved, as an amendment to the motion of the Senator from Marion, that the further consideration of the Report be made the Special Order for to-morrow, at 1 P. M.

The amendment of the Senator from Darlington was not agreed to.

The question was taken on agreeing to the motion of the Senator from Marion, and decided in the affirmative.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

Bill to incorporate the town of Timmons ville.

Pending the consideration of Section 5,

On motion of Mr. WHITTEMORE, the Bill was recommitted to the Committee on Incorporations.

Reports (Majority and Minority) of the Committee on Public Lands on Resolution of Hon. Geo. F. McIntyre, Concurrent Resolution from the House of Representatives, and Concurrent Resolution of Hon. E. S. J. Hayes.

The reports were read, and taken up for consideration.

After debate, participated in by Messrs. Arnim, Rose, Whittemore, Hayne, Maxwell, Nash, Smalls, Leslie, Cardozo, McIntyre,

On the question of agreeing to the majority report,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Arnim, Barber, Dickson, Duvall, Foster, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, McIntyre, Nash, Rose, Smalls, Wimbush.—19.

Nays—Messrs. Cardozo, Whittemore, Wilson.—3.

So the majority report was agreed to.

Ordered, That the Resolution of Hon. George F. McIntyre, and the Concurrent Resolution from the House of Representatives, be laid on the table.

Ordered, That the Resolution of Hon. E. S. J. Hayes be sent to the House of Representatives for concurrence.

Resolution to require Committee on Charitable Institutions to investigate all matters pertaining to the same, and report.

The Resolution was taken up for consideration.

After debate, participated in by Messrs. Nash, Arnim, Whittemore,

The question was taken on agreeing to the Resolution, and decided in the negative.

Report of the Committee on the Judiciary on a Bill to incorporate the Port Royal Improvement Company.

On motion of Mr SMALLS, the Report was laid on the table, and the Bill taken up for consideration.

On motion of Mr. SMALLS, the further consideration of the Bill was postponed to January 10, 1871.

A Bill to alter and amend an Act entitled “An Act to provide a mode by which to perpetuate testimony in relation to deeds, wills, choses in action, and other papers and records destroyed or lost during the recent war.”

The Bill was taken up for a second reading.

On motion of Mr. LESLIE,

Ordered, That it be stricken from the Calendar.

A Bill to vest the title of the State to a lot of land in the village of Orangeburg, of which Diedrich Klepping died seized, in the purchaser or purchasers who shall pay for the premises, under a sale by decree of the Probate Court of Charleston County, and to direct the application of the proceeds of sale.

The Bill received its second reading.

There being no amendments,

Ordered, That it be engrossed for a third reading.

On motion of Mr. SMALLS, the Senate adjourned at 2:30 P. M.

TUESDAY, DECEMBER 13, 1870.

Pursuant to adjournment the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Journal of yesterday was read.

PETITIONS, &c.

Mr. SMALLS presented the petition of the Board of County Commissioners of Georgetown County, praying the passage of an Act empowering the Board to levy a special tax of two mills on the real and personal property in the said County, to relieve it of its present indebtedness; which was read, and referred to the Committee on Finance.

Mr. NASH presented the petition of Professors M. LaBorde, J. L. Reynolds, W. J. Rivers, and C. Bruce Walker, Librarian of the South Carolina College, praying an appropriation of \$9,650 in full discharge of claims of said Professors and Librarian; which was read, referred to the Committee on Finance, and ordered to be printed.

Mr. CORBIN presented the memorial of the Charleston Chamber of Commerce, giving certain considerations against the proposition to revive legislative interference in this State in the matter of the rate of interest chargeable for the use of money; which was read and referred to the Committee on the Judiciary.

Mr. CORBIN presented the petition of John Phillips, surviving executor of John Campbell, deceased, praying that the State Treasurer be authorized to issue to him duplicates of certificates for State stocks destroyed in the conflagration at Columbia, S. C., in February, 1865; which was read and referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to incorporate the Pleasant Grove Baptist Church, in Darlington County, S. C., reported back the same, with a recommendation that, as an Act to provide for the formation of religious, charitable and educational associations, approved February 28, 1870, makes all necessary provisions for such incorporations, the Bill be laid on the table.

Ordered for consideration to-morrow.

BILLS INTRODUCED.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to amend an Act entitled "An Act to define the jurisdiction and regulate the practice of Probate Courts."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. HAYNE, pursuant to notice, introduced

A Bill to repeal an Act entitled "An Act to establish a State Police."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. CARDOZO, pursuant to notice, introduced

A Bill to empower the State to maintain the beneficiaries in the Lunatic Asylum, instead of the several Counties.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WIMBUSH, pursuant to notice, introduced

A Bill to incorporate the Stonewall Fire Engine Company, of Chester, South Carolina.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WIMBUSH, from the Committee on Incorporations, introduced

A Bill to incorporate the Young Men's Brotherly Association.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. SMALLS asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to authorize the County Commissioners of Georgetown County to levy a special tax.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WIMBUSH asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to amend an Act entitled "An Act to revise, simplify and abridge the rules, practice, pleadings and forms of Courts in this State."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. CORBIN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Joint Resolution authorizing the State Treasurer to re-issue to John Phillips, Executor, his successors and assigns, certain certificates of stock.

The Joint Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

JOURNAL OF THE SENATE,
GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar :

Resolution to authorize the Committee to send for persons and papers in the contested election case of P. B. Tompkins *versus* F. A. Clinton, Senator from Lancaster County.

The Resolution was read, and taken up for consideration.

After debate,

On motion of Mr. CORBIN, the Resolution was ordered to lie on the table.

Bill to alter and amend an Act entitled "An Act to alter and amend the charter of the city of Greenville, and for other purposes."

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. HAYNE, Section 1 was amended in the third line, printed Bill, by striking out the words "sixteen" and "sixty," and inserting in lieu thereof the words "eighteen" and "fifty."

Mr. SMALLS moved that the further consideration of the Bill be postponed until to-morrow.

After debate, participated in by Messrs. Smalls, Allen, Nash, Whittemore,

The question was taken on agreeing to the motion of the Senator from Beaufort, and decided in the negative.

On motion of Mr. WHITTEMORE, Section 3 of of the Bill was stricken out.

Mr. HAYNE moved that the vote whereby Section 3 was stricken out be reconsidered.

After debate, participated in by Messrs. Hayne and Allen,

On the question of agreeing to the motion of the Senator from Marion, Mr. HAYNE called for the yeas and nays.

Pending the call,

The PRESIDENT announced the hour arrived for the consideration of the

SPECIAL ORDER.

Resolution to direct the Committee on Privileges and Elections to inquire as to the eligibility of Hon. D. T. Corbin to a seat in the Senate.

The Resolution was read, and taken up for consideration.

Mr. WHITTEMORE moved that the Resolution be referred to the Committee on Privileges and Elections.

After debate, participated in by Messrs. McIntyre and Whittemore,

The question was taken on agreeing to the motion of the Senator from Darlington, and decided in the affirmative.

Mr CORBIN rose to a question of privilege, and asked that the Senate should make an immediate decision upon so grave and important a matter as the question of his right to a seat in this body. Holding the opinion, in common with very many legal gentlemen, that his seat was not vacant in consequence of the offices which he held at the commencement of his Senatorial term, he deemed it his duty to be here and discharge faithfully, as far as in his power lay, the duties of the office. He conscientiously believed that the offices he held did not disqualify him as Senator for the term for which he was elected in 1868. So far as he was personally concerned, it would be a relief to him to have his seat declared vacant, that he might return to his law practice, now much neglected in consequence of his holding a seat in the Senate.

On motion of Mr. ARNIM, the vote whereby the Resolution was referred to the Committee on Privileges and Elections was reconsidered.

After debate, participated in by Messrs. Arnim, Rose,

Mr. ROSE moved that the further consideration of the Resolution be postponed.

The motion of the Senator from York was not agreed to.

Mr. SMALLS moved that the seat of the Senator from Charleston be declared vacant.

On the question of agreeing to the motion of the Senator from Beaufort,

Mr. JOHNSTON called for the yeas and nays.

Pending the call, and after debate, participated in by Messrs. Smalls, Whittemore, Johnston, Leslie,

The motion of the Senator from Beaufort, that the seat of the Senator from Charleston County be declared vacant, was withdrawn.

Mr. WHITTEMORE moved that the Resolution be laid on the table.

On the question of agreeing to the motion of the Senator from Darlington,

Mr. ROSE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Arnim, Barber, Cardozo, Clinton, Dickson, Duncan, Duvall, Foster, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Smalls, Whittemore, Wilson, Wimbush.—21.

Nays—McIntyre, Nash, Rose.—3.

So the Resolution was ordered to lie on the table.

Mr. SMALLS renewed the motion that the seat of the Senator from Charleston County, be declared vacant.

Mr. HAYNE moved, as an amendment to the motion of the Senator from Beaufort, that the seats of the Senators from Charleston County and Marlborough County be declared vacant.

On the question of agreeing to the motion of the Senator from Marion,

Mr. JOHNSTON called for the yeas and nays.
Pending debate, participated in by Messrs. Nash, Leslie,
The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No. 4 from his Excellency the Governor was presented to the Senate by Mr. John Heart, Private Secretary.

The PRESIDENT announced that the Message related to Executive Business.

SPECIAL ORDER.

The Senate resumed the consideration of the Special Order.

The question recurred on agreeing to the amendment of the Senator from Marion, to the motion of the Senator from Beaufort, that the seat of the Senator from Charleston County be declared vacant.

Mr. JOHNSTON withdrew the call for the yeas and nays, and moved the following as a substitute for the motion of the Senator from Beaufort.

Whereas, it appears from the records of the Senate, that Hon. D. T. Corbin was elected Senator from Charleston County in 1868, for four years; therefore,

Resolved, That it is the sense of the Senate, that the Hon. D. T. Corbin is still entitled to his seat, notwithstanding he still holds the office of United States District Attorney, and other offices, the prohibition of the Constitution not applying to him.

Mr. ARNIM moved that the substitute offered by the Senator from Sumter be referred to the Committee on the Judiciary.

Mr. HAYNE moved that the further consideration of the motion of the Senator from Edgefield be indefinitely postponed.

After debate, participated in by Messrs. Hayne, Arnim, Whittemore, Maxwell,

On motion of Mr. MAXWELL, the motion of the Senator from Edgefield was ordered to lie on the table.

The question was then taken on agreeing to the substitute offered by the Senator from Sumter, and decided in the affirmative.

Mr. MAXWELL rose to a question of privilege, and requested that as his right to a seat in the Senate had also been questioned, and the papers in reference to the matter were in the hands of the Committee on Privileges and Elections, that the Committee would report at as early a day as practicable.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

Bill to alter and amend an Act entitled "An Act to alter and amend the charter of the city of Greenville, and for other purposes."

The question recurred on the motion of the Senator from Marion, that the vote whereby Section 3 was stricken from the Bill be reconsidered.

After debate, participated in by Messrs. Hayne, Whittemore,

On motion of Mr. SMALLS, the motion for reconsideration of the vote whereby Section 3 was stricken from the Bill was ordered to lie on the table.

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

Resolution to require Printing Committee to advertise for proposals for printing.

Mr. LESLIE moved that the Resolution be referred to the Committee on Printing.

After debate, participated in by Messrs. Leslie, Arnim, Nash, Allen,

The question was taken on agreeing to the motion of the Senator from Barnwell, and decided in the affirmative.

EXECUTIVE SESSION.

At 2:15 P. M., on motion of Mr. HAYNE, the Senate went into Executive session.

After the disposal of Executive business,

The Senate returned to open session.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

Joint Resolution authorizing the Attorney-General to employ assistance in certain suits now pending, and making appropriation to pay for the same.

The Joint Resolution received its second reading.

There being no amendments,

Ordered, That it be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate adjourned at 2:40 P. M.

WEDNESDAY, DECEMBER 14, 1870.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplan.

The Journal of yesterday was read.

Mr. WIMBUSH rose to a question of privilege, and sent to the President's desk a copy of the "Daily Union," of Tuesday morning, December 13, 1870. He asked to be read, for the information of the Senate, an editorial in said paper under the caption "Can it be Done?" The portion of said article to which he more particularly objected was in the expression, "but we like to see things done 'decently and in order.'" He considered it a reflection upon the Senate, which he believed perfectly competent to decide all legal questions coming before them, uninfluenced by outside pressure or partizan motives.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned, with concurrence,

Concurrent Resolution to appoint a Special Joint Committee to investigate the transactions of the Land Commissioners, with power to send for persons and papers.

The House sent to the Senate

Concurrent Resolution to authorize the employment of an additional Solicitor during the session of the General Assembly, by the Attorney General.

On motion of Mr. LESLIE, the Resolution was laid over for consideration to-morrow.

Concurrent Resolution to instruct the Comptroller-General to take out a policy of insurance on furniture, &c., in the Capitol building.

Mr. HAYNE moved that the consideration of the Resolution be indefinitely postponed.

Mr. ARNIM moved, as an amendment to the motion of the Senator from Marion, that the Resolution be referred to the Committee on Public Buildings.

The amendment of the Senator from Edgefield was subsequently withdrawn.

The question recurred on agreeing to the motion of the Senator from Marion, that the consideration of the Resolution be indefinitely postponed.

After debate, participated in by Messrs. Nash, Arnim, Smalls, Corbin,

The motion of the Senator from Marion was withdrawn.

The question recurred on concurrence in the Resolution.

Mr. SMALLS renewed the motion that the consideration be indefinitely postponed.

The question was taken on agreeing to the motion of the Senator from Beaufort, and decided in the affirmative.

So the consideration of the Resolution was indefinitely postponed, and a message sent to the House of Representatives accordingly.

On motion of Mr. HAYNE, it was

Resolved, That the Sergeant-at-Arms be instructed to report to the Senate what disposition has been made of any furniture removed from the rooms in the State House under control of the Senate.

The House sent to the Senate

Joint Resolution authorizing the State Librarian to cause to be prepared an Index to Volume XIV of the Statutes of this State.

The Joint Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Bill to vest the title of the State to a lot of land in the village of Orangeburg, of which Diedrich Klepping died seized, in the purchaser or purchasers who shall pay for the premises under a sale by a decree of the Probate Court of Charleston County, and to direct the application of the proceeds of sale.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

The House also sent to the Senate

Report of Committee on Claims of the House on accounts of John H. Ashmore and N. E. Edwards; which were referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was recommitted a Bill to incorporate the town of Timmons ville, reported back the same, with a recommendation that the Bill do pass, amended as follows:

Strike out "said" on third line, Section 2, and insert "their."

In third line, Section 2, after the word election, insert "who shall be elected at such time and."

On seventh line, Section 2, after the word "for," strike out "said" and insert "and be elected as."

Strike out, on third line, Section 3, from the word "held" to the word "and," on fourth line, and insert "to fill such vacancy, and the Intendant and Warden (or Wardens, as the case may be,) shall give ten days' previous notice of such election."

In line seventeen, Section 4, after the word "proper," insert "not inconsistent with, or repugnant to the laws of the State, and all such by-laws and ordinances shall, at all times, be subject to revisal or repeal by the General Assembly of the State."

Strike out after the word dollars, on the nineteenth line, Section 4, to the end of the Section, and insert "and when fines shall exceed twenty dollars, they may be recovered in a Trial Justice Court of the County of Darlington, and when they are of the amount of twenty dollars, or under, they may be recovered before said Intendant and Wardens, in Council."

Strike out "Commissioners of Roads," wherever it appears in Section 6, and insert "County Commissioners."

After the word "Court," on the sixth line, Section 10, strike out "or Magistrate," and insert "Trial Justice, or other inferior Court."

On line second, Section 4, strike out from the word "service" down to the word "that," on the fourth line, and insert "have the same powers which a Trial Justice now has, to compel the attendance of witnesses, and require them to give evidence upon the trial before them of any person, for the violation of any of the by-laws or ordinances of the town."

Ordered for consideration to-morrow, and to be printed.

Mr. CORBIN, from the Committee on Privileges and Elections, to whom was referred the protest of R. J. Donaldson, Esq., against the right of Hon. G. W. Duvall to represent Chesterfield County, as Senator in this Senate, reported back the same, with a recommendation that the contestant be allowed time to procure proper evidence to sustain his case, and that the sitting member then be allowed time to produce counter evidence, and to this end recommend the adoption of the following resolution :

Resolved, That, in the case of R. J. Donaldson, Esq., contestant against Hon. G. W. Duvall, contestee, sitting member, the said Donaldson do give the said Duvall five days' notice of the time, place, and before whom he will proceed to take testimony to sustain the facts alleged in his grounds of contest. That a similar notice be served upon said Duvall, of the several times and places where testimony is proposed to be taken.

2. That, after the testimony shall have been announced to be closed by said Donaldson, on his part, the said Duvall shall, if he so desire, proceed, on similar notice to that required to be given by the contestant, to take testimony to sustain the allegations of the answer, on his part. If he, said Duvall, shall not proceed to take testimony in reply, within ten days after the said Donaldson has announced the testimony on his part closed, he shall be considered as having waived his right to take testimony. The testimony, on the part of said Duvall, shall be closed in fifteen days after the commencement of the taking thereof, unless further time be granted him by the Senate.

3. That the testimony may be taken before any officer authorized by

law to take depositions; and the same shall be duly sealed up by him, and directed to the Chairman of the Committee on Privileges and Elections of the Senate, endorsed, so as to indicate the contents, across the seal of the envelope.

Ordered for consideration to-morrow, and to be printed.

Mr. CORBIN, from the Committee on Privileges and Elections, to whom was referred the protest of P. B. Tompkins, Esq., of Lancaster County, against the right of Hon. F. A. Clinton to a seat in the Senate, as Senator from Lancaster County, reported back the same, accompanied by the following Resolution, and a recommendation that it be adopted:

Resolved, That in the case of P. B. Tompkins, contestant against F. A. Clinton, contestee, the contestant be allowed ten days' time to serve a copy of his grounds of contest on the contestee, and that the contestee be allowed ten days' time, after the service thereof, to answer the same.

2. That after the expiration of the time given to said Clinton to answer (whether he has answered or not) that the said Tompkins do give said Clinton five days' notice of the time, place, and before whom he, said Tompkins, will proceed to take testimony for the purpose of establishing the facts alleged in his grounds of contest. That a similar notice be served upon said Clinton of each and every place where testimony is proposed to be taken.

3. That, after the testimony shall have been announced to be closed by said Tompkins on his part, the said Clinton shall, if he so desire, proceed, on similar notice to that required to be given by the contestant, to take testimony to sustain the allegation of the answer on his part.

If he, said Clinton, shall not proceed to take testimony in reply within ten days after the said Tompkins has announced the testimony, on his part, closed, he shall be considered as having waived his right to take testimony. The testimony, on the part of said Clinton, shall be closed in fifteen days after the commencement of the taking thereof, unless further time be granted him by the Senate.

4. That the testimony may be taken before any officer authorized by law to take depositions, and the same shall be duly sealed up by him, and directed to the Chairman of the Committee on Privileges and Elections of the Senate, endorsed, so as to indicate the contents, across the seal of the envelope.

Ordered for consideration to-morrow, and to be printed.

Mr. CORBIN, from the Committee on Privileges and Elections, to whom was referred the protest of certain citizens of Marlboro' County, against the right of Hon. H. J. Maxwell to represent that County as Senator, re-

ported back the same, accompanied by the following Resolution, and recommendation that it be adopted.

Resolved, That it is the sense of the Senate, that Hon. H. J. Maxwell, Senator elect from Marlborough County, is duly entitled to represent said County as Senator upon this floor.

Mr. ARNIM moved that the Rule be suspended, and the Report be considered immediately.

Objection being made, the Report was ordered for consideration to-morrow, and to be printed.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Joint Resolution authorizing the Attorney General to employ assistance in certain suits now pending, and making an appropriation for the payment of the same.

Bill to alter and amend An Act to alter and amend the charter of the City of Greenville.

Bill to vest the title of the State to a lot of land in the village of Orangeburg, of which Deidrich Klepping died seized, in the purchaser or purchasers who shall pay for the premises under a sale by a decree of the Probate Court of Charleston County, and to direct the application of the proceeds of sale.

Bill to renew and amend the charter of the Town of Abbeville.

Ordered for consideration to-morrow.

Mr. ALLEN, from the Committee on Printing, to whom was referred the Resolution to require said Committee to advertise for proposals to do the current and permanent printing of the Senate, reported back the same, with the recommendation that it be agreed to.

Ordered for consideration to-morrow.

NOTICES OF BILLS.

Mr. CORBIN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to amend an Act entitled "An Act providing for the general elections, and the manner of conducting the same," approved March 1, 1870.

Mr. NASH gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to amend an Act entitled "An Act to alter and amend an Act entitled 'An Act to authorize the sale of the Columbia Canal.'"

Mr. DUNCAN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to extend the time for officers to qualify.

BILLS INTRODUCED.

Mr. NASH, pursuant to notice, introduced

A Bill to alter and amend an Act entitled "An Act to alter and amend the charter and extend the limits of the city of Columbia," approved 26th of February, 1870.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WILSON, pursuant to notice, introduced

A Bill to enable judgment debtors to sell their real and personal property, and to confirm sales already made, upon conditions therein specified.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to repeal an Act entitled "An Act to secure advances for Agricultural Purposes," and to amend an Act entitled "An Act to protect laborers and persons working under contract on shares of crops."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WIMBUSH, from the Committee on Incorporations, introduced

A Bill to renew and amend the charter of the Town of Mount Pleasant.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

GENERAL ORDERS.

The Senate proceeded to the consideration of General Orders on the Calendar.

On motion of Mr. ROSE, the Senate took up out of its order, for consideration

Resolution (from the Committee on Public Buildings) to inquire into the expediency of heating the Lunatic Asylum by means of steam pipes.

The Resolution was read, and taken up for consideration.

On motion of Mr. WHITTEMORE, the Resolution was referred to the Committee on Public Buildings.

The Senate proceeded to the consideration of

Bill to renew the charter of the Orangeburg Presbyterian Church Society.

The Bill received its third reading.

On the question, "Shall this Bill pass?"

On motion of Mr. WHITTEMORE, the Bill was ordered to lie on the table.

Bill to amend an Act entitled "An Act to establish a State Orphan Asylum."

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

On motion of Mr. HAYNE, the Senate took up, out of its order, for consideration,

Bill to repeal an Act entitled "An Act to establish a State Police."

Mr. ARNIM moved that the Bill be read by its title, and referred to the Committee on Retrenchment.

The motion of the Senator from Edgefield was not seconded.

The Bill then received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. WHITTEMORE moved that the Bill be ordered to lie on the table.

The motion of the Senator from Darlington was subsequently withdrawn.

Pending the further consideration of the Bill,

Hon. C. W. MONTGOMERY, President *pro tem.*, took the Chair.

After debate, participated in by Messrs. Hayne, Whittemore, Leslie, Johnston, Rose, Arnim, Nash, Smalls,

There being no amendments,

On the question of agreeing to the Bill and ordering it to be engrossed for a third reading,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Arnim, Barber, Burroughs, Cardozo, Clinton, Corbin, Dickson, Duncan, Duvall, Foster, Hayes, Hayne, Holcombe, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Whittemore, Wilson, Wimbush—24.

Mr. W. E. Johnston voted in the negative.

So the Bill was ordered to be engrossed for a third reading.

On motion of Mr. ARNIM, the Senate adjourned at 2:10 P. M.

THURSDAY, DECEMBER 15, 1870.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by Rev. R. H. Cain.

The Journal of yesterday was read.

The PRESIDENT announced Messrs. Hayes, Owens, Foster, Special Committee on the part of the Senate, under Concurrent Resolution adopted by both Houses, to investigate the affairs of the Land Commissioners, past and present.

A message was sent to the House of Representatives accordingly.

The PRESIDENT announced Messrs. Swails, Whittemore, Smalls, Committee on the part of the Senate under Concurrent Resolution adopted by both Houses, to investigate the affairs of the Constabulary Department.

Mr. WHITTEMORE rose to a question of privilege, and sent to the President's desk a copy of the "Charleston Daily News," of Wednesday, December 14, 1870, and asked that the following extract from the Columbia correspondence of that paper, under date of December 12, be read:

"It may be well to explain just here that the main fight on this land investigation business will be, and was, as well on the appointment of persons on the Committee. It seemed to be the idea that there was to be some considerable *pabulum* coming from it, and for this reason Whittemore wanted to place himself on the Committee. But he failed, and must feel disappointed."

The extract was read.

Mr. WHITTEMORE said:

It is the first time, in all my legislative experience, that I have exercised this prerogative. It will be remembered by the Senate that when the discussion upon the appointment of a Special Committee for the purpose of investigating matters pertaining to the Land Commission was brought before the Senate, that I differed with the majority of Senators in my argument and action. But I bowed in deference to the will of the Senate. The gentlemen who are admitted to this floor, who are the critics upon our action, are here by our sufferance. A just criticism, and an honest censure, I am always willing to submit to. But this insinuation, and this accusation, is unjust, severe and false. It comes with shabby grace from him who holds so near a relation to one whose sandy farms have cost this State so dear, and by the price of which a bankrupt has been brought to competency. This literary Bohemian undertakes to question my motive in the positions I have taken upon this measure, but I want him to understand from the beginning that I shall act from conscientious convictions of duty, and I warn him in his criticism upon myself, and upon other Senators on this floor, to beware what language he uses, or what imputations he casts upon them or me.

If I was seeking *pabulum* or nourishment, I should not seek it in the direction of barren estates that have become so barren that a grasshopper

could not feed upon it a single day unless he took his rations with him.
Were I to continue,

“I could a tale unfold, whose slightest word
Would harrow up young Fox’s soul.”

I simply cast the imputation back in the face of the author, and say,
as I dismiss this Bohemian,

“That all men must serve their time to every trade,
Save falsehood—
Liars are already made.”

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

Concurrent Resolution that the General Assembly take a recess from
Thursday, December 22, 1870, to January 5, 1871.

The Senate proceeded to the consideration of the Resolution.

Mr. ARNIM moved to amend, by striking out the figures “22” and
inserting in lieu thereof the figures “24.”

Mr. HAYNE moved, as an amendment to the amendment, to strike
out “24,” and insert in lieu thereof “20.”

The amendment to the amendment was subsequently withdrawn.

The question recurred on agreeing to the amendment.

The amendment of the Senator from Edgefield was withdrawn.

The question was then taken on agreeing to the Resolution, and de-
cided in the affirmative.

Ordered, That it be returned to the House of Representatives.

The House sent to the Senate,

Bill to extend the time for officers to qualify.

The Bill received its first reading, was ordered for a second reading
and consideration to-morrow, and to be printed.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, re-
ported as duly and correctly engrossed, and ready for a third reading,

A Bill to charter the town of Yorkville;

A Bill to repeal an Act entitled “An Act to establish a State Police.”

Ordered for consideration to-morrow.

Mr. FOSTER, from the Committee on Retrenchments, to whom was
referred

Concurrent Resolution from the House of Representatives to ap-
point a Special Committee to investigate the affairs of the Constabulary
Department, reported back the same, with a recommendation that the
Senate concur in said Resolution.

On motion of Mr. ARNIM, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

Ordered, That the Resolution be returned to the House of Representatives.

The PRESIDENT laid before the Senate the Report of the Sergeant-at-Arms of the Senate, relative to the disposition of furniture removed from the Senate rooms; which was received as information.

RESOLUTIONS.

Mr. WHITTEMORE introduced the following Resolution :

Resolved, That all Bills reported by the Committee on Engrossed Bills, on their third reading, be read the same day they are reported by the Committee.

Mr. HAYNE moved that the Rule be suspended, and the Resolution considered immediately.

Objection being made, the Resolution was ordered for consideration to-morrow.

NOTICES OF BILLS.

Mr. DUVALL gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to vest the right and title of the State in and to certain escheated property in a certain person therein mentioned.

Mr. JOHNSTON gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

Joint Resolution inquiring why certain accounts of school teachers for services rendered have not been paid by the State Treasurer.

BILLS INTRODUCED.

Mr. NASH, pursuant to notice, introduced

A Bill to amend an Act entitled "An Act to authorize the sale of the Columbia Canal."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. CORBIN, pursuant to notice, introduced

A Bill to regulate the appointment, jurisdiction and duties of Notaries Public.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. LESLIE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to provide for the publication of the Acts, Reports, Resolutions, Journals and other papers of the General Assembly.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

SPECIAL ORDER.

At 1 P. M., the Senate proceeded to the consideration of the Special Order, to wit :

Bill to amend the charter of the Columbia Bridge Company ;

Report of Committee on Education on a Bill to amend an Act entitled "An Act to establish and maintain a system of free common schools for the State of South Carolina."

On motion of Mr. HAYNE, the consideration of the first Special Order was postponed until the disposal of the second Special Order.

The Report of the Committee on Education on a Bill to amend an Act entitled "An Act to establish and maintain a system of free common schools for the State of South Carolina" was read, and the Bill taken up for consideration.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Pending the consideration of Section 4,

After debate, participated in by Messrs. Arnim, Smalls, Whittemore, Maxwell, Johnston, Wimbush,

Mr. ARNIM moved that the further consideration of the Bill be postponed, and made the Special Order for January 6, 1871.

After further debate, participated in by Messrs. Nash, Hayne, Arnim, The motion of the Senator from Edgefield was withdrawn.

The question recurred on agreeing to Section 4.

Mr. ARNIM moved to amend Section 4 by the addition of the following proviso : "*Provided*, That the pay of all officers of this State, elected or appointed, shall be reduced one hundred per cent.

The amendment of the Senator from Edgefield was not seconded.

Mr. SMALLS moved that the Bill be recommitted to the Committee on Education, with instructions that the salaries of the County School Commissioners be rated according to the population of their respective Counties.

Mr. HAYNE moved, as a substitute for the motion of the Senator from Beaufort, that Section 4 of the Bill be stricken out.

After debate, participated in by Messrs. Hayne, Whittemore, Leslie, The motion of the Senator from Marion was withdrawn.

Mr. NASH moved that the Bill be recommitted to the Committee on

Education, with instructions to rate the pay of County School Commissioners according to the number of pupils attending the schools in their respective Counties.

After debate, participated in by Messrs. Nash, Whittemore, Swails, Hayne,

On motion of Mr. HAYNE, the Bill was recommitted to the Committee on Education without instructions.

On motion of Mr. CORBIN, the Senate took up, out of its order, for consideration,

The Report of the Committee on Privileges and Elections relative to the case of P. B. Tompkins, contestant, against F. A. Clinton, contestee, for a seat as Senator from Lancaster County.

The Report was read.

After debate, participated in by Messrs. Arnim, Corbin, Nash,

The question was taken on agreeing to the Report, and decided in the affirmative.

On motion of Mr. CORBIN, the Senate took up, out of its order, for consideration,

The Report of the Committee on Privileges and Elections relative to the case of R. J. Donaldson, contestant, against G. W. Duvall, contestee, for a seat as Senator from Chesterfield County.

The Report was read, and taken up for consideration.

Mr. ARNIM moved to amend the Resolution by striking out, before the word "days," the word "five," and inserting, in lieu thereof, the word "fifteen."

The amendment of the Senator from Edgefield was withdrawn.

The question was then taken on agreeing to the Report, and decided in the affirmative.

On motion of Mr. CORBIN, the Senate took up, out of its order, for consideration,

The Report of the Committee on Privileges and Elections on the protest of certain citizens of Marlboro County against the right of Hon. H. J. Maxwell to a seat in the Senate.

The Report was read.

The question was taken on agreeing to the Report, and decided in the affirmative.

On motion of Mr. SMALLS, the Senate took up, out of its order, for consideration,

A Bill to authorize the County Commissioners of Georgetown County to levy a special tax.

On motion of Mr. SMALLS, the Bill was read by its title, and referred to the Committee on Finance.

On motion of Mr. JOHNSTON, the Senate adjourned at 3:10 P. M.

FRIDAY, DECEMBER 16, 1870.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Rev. S. Brown.

The Journal of yesterday was read.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C , December 15, 1870.

Mr. President and Gentlemen of the Senate.

The House of Representatives respectfully informs your honorable body that Messrs. Gardner, Bowley, Berry, Lee and Saunders have been appointed Committee on the part of the House, to meet Committee appointed on the part of your honorable body to investigate the affairs of the Land Commission.

Very respectfully, your obedient servant,

F. J. MOSES, JR.,
Speaker of the House of Representatives.

The House also sent to the Senate,

Report of House Committee on Claims on accounts of W. F. Bates and L. S. Langley ; which were referred to the Committee on Claims.

NOTICES OF BILLS.

Mr. ARNIM gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to renew and amend the charter of the town of Hamburg, S. C.

BILLS INTRODUCED.

Mr. DUVALL, pursuant to notice, introduced

A Bill to vest the right and title of the State in and to certain escheated property in a certain person therein mentioned.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. JOHNSTON introduced the following Concurrent Resolution :

Whereas, accounts of teachers in the different Counties of the State have been duly audited and passed for payment, by the State Superintendent of Education, and orders for the payment of the same have been drawn by him on the State Treasurer, and the said State Treasurer has refused to pay the same; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the State Treasurer be requested to state, for the information of this body, why certain orders for the payment of teachers, duly approved, audited and passed by the State Superintendent of Education, have not been paid by him, the said State Treasurer.

On motion of Mr. ARNIM, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar:

Bill authorizing the Governor to appoint a Sheriff in the County of Greenville, to fill the unexpired term of A. B. Vickers, deceased.

On motion of Mr. LESLIE, the Bill was read by its title, and referred to the Committee on the Judiciary.

Bill to amend an Act entitled "An Act to revise, simplify and abridge the rules, practice, pleadings and forms of Courts in this State."

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on the Judiciary.

Bill to extend the jurisdiction of Probate Judges of this State.

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on the Judiciary.

Bill to define the law in relation to certian easements, and for other purposes.

On motion of Mr. WILSON, the Bill was read by its title, and referred to the Committee on the Judiciary.

Report of the Committee on Finance relative to the Joint Resolution to provide for the adjustment of the Fire Loan Debt—so-called.

On motion of Mr. WHITTEMORE, the further consideration was suspended until January 6, 1871.

Bill to extend the limits of the Town of Camden.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. CARDOZO, the Bill was amended by the addition of the following:

SECTION 2. That the Intendant and Wardens of the Town of Camden are hereby required to proceed, immediately upon the passage of this Act, to designate, by proper marks and monuments, the boundaries heretofore authorized.

SECTION 3. That all Acts or parts of Acts, inconsistent with the provisions of this Act, be, and the same are hereby, repealed.

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

Report of the Committee on Incorporations on a Bill to incorporate the Pleasant Grove Baptist Church, of Darlington County.

The question was taken on agreeing to the Report, and decided in the affirmative.

Ordered, That the Bill do lie on the table.

A Bill to amend an Act entitled "An Act to define the jurisdiction, and regulate the practice of Probate Courts."

On motion of Mr. WHITEMORE,

The Bill was read by its title, and referred to the Committee on the Judiciary.

Bill to empower the State to maintain the beneficiaries in the Lunatic Asylum, instead of the several Counties.

On motion of Mr. ARNIM,

The Bill was read by its title, and referred to the Committee on Finance.

Bill to incorporate the Stonewall Fire Engine Company, of Chester.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That it be engrossed for a third reading.

Bill (from the Committee on Incorporations) to incorporate the Young Men's Brotherly Association.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That it be engrossed for a third reading.

Bill to amend an Act entitled "An Act to revise, simplify and abridge the rules, practice, pleadings and forms of Courts in this State."

On motion of Mr. WIMBUSH,

The Bill was read by its title, and referred to the Committee on the Judiciary.

Joint Resolution authorizing the State Treasurer to re-issue to John Phillips, Executor, his successors and assigns, certain certificates of stock.

On motion,

The Joint Resolution was read by its title, and referred to the Committee on Finance.

House Concurrent Resolution to authorize the employment of an additional Solicitor by the Attorney-General.

On motion of Mr. MAXWELL,

The Resolution was concurred in.

Ordered, That it be returned to the House of Representatives.

Joint Resolution (House) authorizing the State Librarian to cause to be prepared an index to Volume 14th of the Statutes of this State.

On motion of Mr. SWAILS, the Joint Resolution was read by its title, and referred to the Committee on the Legislative Library.

Bill (House) to vest the title of the State to a lot of land in the village of Orangeburg, of which Deidrich Klepping died seized, in the purchaser or purchasers who shall pay for the premises under a sale by a decree of the Probate Court of Charleston County, and to direct the application of the proceeds of sale.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That it be engrossed for a third reading.

Joint Resolution authorizing the Attorney-General to employ assistance in certain suits now pending, and making an appropriation to pay for the same.

The Joint Resolution received its third reading.

On the question of agreeing to the passage of the Joint Resolution, Mr. ARNIM called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Arnim, Barber, Cardozo, Clinton, Duncan, Greene, Hayes, Hayne, Johnston, Leslie, Maxwell, Montgomery, Owens, Swails, Whittemore, Wilson, Wimbush.—18.

Nays—Messrs. Bieman, Burroughs, Dickson, Duvall, Foster, Holcombe.—6.

So the Joint Resolution passed, and was ordered to be sent to the House of Representatives.

Bill to alter and amend an Act to alter and amend the charter of the City of Greenville.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Senate Bill to vest the title of the State to a lot of land in the village of Orangeburg, of which Deidrich Klepping died seized, in the purchaser or purchasers who shall pay for the premises under a sale by a decree of

the Probate Court of Charleston County, and to direct the application of the proceeds of sale.

On motion of Mr. WHITTEMORE, the Bill was ordered to lie on the table.

Bill to renew and amend the charter of the town of Abbeville.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Bill to alter and amend an Act entitled "An Act to alter and amend the charter and extend the limits of the City of Columbia," approved February 26, 1870.

On motion of Mr. ARNIM, the Bill was read by its title, and referred to the Committee on Incorporations.

On motion of Mr. JOHNSTON, the consideration of the Special Order was suspended.

REPORTS OF COMMITTEES:

Mr. JOHNSTON, from the Committee on Legislative Library, to whom was referred Joint Resolution (House) authorizing the State Librarian to cause to be prepared an index to Volume 14th of the Statutes of this State, reported back the same, with the recommendation that the Resolution do pass.

On motion of Mr. SWAILS, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

The Joint Resolution received its second reading.

There being no amendments,

Ordered, That it be engrossed for a third reading.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Bill (House) to vest the title of the State to a lot of land in the village of Orangeburg, of which Deidrich Klepping died seized, in the purchaser or purchasers who shall pay for the premises under a sale by a decree of the Probate Court of Charleston County, and to direct the application of the proceeds of sale.

Ordered for consideration to-morrow.

SPECIAL ORDER.

At 1 P. M. the Senate proceeded to the consideration of the Special Order.

Bill to amend the charter of the Columbia Bridge Company.

On motion of Mr. ARNIM, the further consideration of the Special

Order was discharged, and made the Special Order for Thursday, December 22, 1870.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

Bill to enable judgment debtors to sell their real and personal property, and to confirm sales already made, upon conditions therein specified.

On motion of Mr. HAYNE, the Bill was read by its title, and referred to the Committee on the Judiciary.

Bill to repeal an Act entitled "An Act to secure advances for agricultural purposes," and to amend an Act entitled "An Act to protect laborers and persons working under contracts or shares of crops."

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on the Judiciary.

On motion of Mr. ROSE, the Senate took up, out of its order, for consideration,

Bill to charter the town of Yorkville.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Bill (by Committee on Incorporations) to renew and amend the charter of the town of Mt. Pleasant.

The Bill received its second reading.

On motion of Mr. WHITTEMORE, the Bill was amended by striking out, wherever it occurs, the word "Magistrate," and inserting in lieu thereof the words "Trial Justice, or other inferior Courts."

On motion of Mr. WHITTEMORE, the Bill was further amended in Section 6, fifth line, by striking out the words "of Roads," and inserting before the word "Commissioners" the word "County."

On motion of Mr. LESLIE, the Bill was recommitted to the Committee on Incorporations.

Report of Committee on Printing on Resolution to require the said Committee to advertise for proposals for the current and permanent printing of the Senate.

On motion of Mr. LESLIE, the Report and Resolution were ordered to lie on the table.

On motion of Mr. LESLIE, the Senate took up, out of its order, for consideration,

Bill to provide for the publication of the Acts, Reports, Resolutions, Journals, and other papers of the General Assembly.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. LESLIE, the Bill was amended by striking out of Section 1, printed Bill, the following: "also, to arrange and prepare

three thousand five hundred (3,500) copies of the same for publication in pamphlet form, and superintend the execution of the work."

Mr. NASH moved to amend Section 1 by adding after the words "General Assembly," on the eighth line, printed Bill, the words "Provided, Said contract shall be approved by the Senate and House of Representatives."

There being no further amendments,

Ordered, That the Bill, as amended, be engrossed for a third reading.

On motion of Mr. HAYNE, the Senate adjourned at 2:20 P. M.

SATURDAY, DECEMBER 17, 1870.

Pursuant to adjournment the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Rev. R. H. Cain.

The Journal of yesterday was read.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,

Concurrent Resolution to instruct the Clerks of the House of Representatives and Senate, to draw pay certificates for the payment of the per diem and mileage of members of the General Assembly, from November 22, 1870, to January 4, 1871, inclusive, and for the payment of subordinate officers and employees of the General Assembly.

The Resolution was concurred in, and ordered to be returned to the House of Representatives.

Concurrent Resolution to require County Commissioners to report and furnish certain information.

The Resolution was concurred in, and ordered to be returned to the House of Representatives.

The House returned, with concurrence,

Senate Concurrent Resolution inquiring why certain accounts of school teachers, for services rendered, have not been paid by the State Treasurer.

The House returned, with amendment,

Senate Bill to make appropriation for the payment of the per diem and mileage of the members of the General Assembly, and the salaries of the subordinate officers, and other expenses incidental thereto.

The Senate refused to concur in the amendment, and a message with the Bill returned to the House of Representatives accordingly.

The House also sent to the Senate,

A Bill supplementary to an Act entitled "An Act to authorize administrators, executors, and other fiduciaries, to sell certain evidences of indebtedness at public sale, and to compromise in certain cases."

The Bill received its first reading, was ordered for a second reading and consideration on Monday, and to be printed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. A. O. Jones, Clerk of the House of Representatives, appeared, and was announced by the Sergeant-at-Arms.

Mr. Jones delivered the following message :

MR. PRESIDENT: I am directed to inform the Senate that the House of Representatives has appointed Hons. W. J. Whipper, F. J. Moses, Jr., Warren D. Wilkes, Aaron Logan and Joseph Crews, a Committee to appear before the bar of the Senate, and there, in the name of the House of Representatives, and of all the people of the State of South Carolina, to impeach T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina, of high crimes and misdemeanors in office, and acquaint the Senate that the House of Representatives will, in due time, exhibit particular articles of impeachment against him, and make good the same, and that said Committee do demand that the Senate take order for the appearance of said T. O. P. Vernon to answer the same.

A. O. JONES,
Clerk of the House of Representatives.

The PRESIDENT—The Senate has heard the message, and will take order in the premises.

Mr. Jones then retired.

COMMITTEE FROM HOUSE OF REPRESENTATIVES.

Representatives W. J. Whipper, F. J. Moses, Jr., Warren D. Wilkes, Aaron Logan, Joseph Crews, appeared, and were announced by the Sergeant-at-Arms as Committee from the House of Representatives.

Mr. WHIPPER read the following :

MR. PRESIDENT: In obedience to the order of the House of Representatives, we appear before you, and in the name of the House of Representatives, and of all the people of the State of South Carolina, we do

impeach T. O. P. Vernon, Circuit Judge of the State of South Carolina, in and for the 7th Circuit thereof, of high crimes and misdemeanors in office; and we further inform the Senate, that the House of Representatives will, in due time, exhibit particular Articles of Impeachment against him, and make good the same, and, in their name, we demand that the Senate do take order for the appearance of the said T. O. P. Vernon, to answer said impeachment.

W. J. WHIPPER,
F. J. MOSES, Jr.,
WARREN D. WILKES,
AARON LOGAN,
JOSEPH CREWS,
Committee.

The PRESIDENT—The Senate has heard the message, and will take action in the premises.

The Committee then retired.

Mr. WHITTEMORE introduced the following Resolution:

Whereas, the House of Representatives on this, 17th day of the present month, by five of their members, Messrs. W. J. Whpper, F. J. Moses, Jr., Warren D. Wilkes, Aaron Logan and Joseph Crews, at the bar of the Senate, impeached T. O. P. Vernon, Judge of the Seventh Judicial Circuit of the State of South Carolina, of high crimes and misdemeanors in office, and informed the Senate that the House of Representatives will, in due time, exhibit particular articles of impeachment against him, and make good the same, and likewise demand that the Senate take order for the appearance of the said T. O. P. Vernon, to answer to the said impeachment; therefore,

Resolved, That the Senate will take proper order thereon, of which due notice shall be given to the House of Representatives.

Mr. ARNIM moved that the Rule be suspended, and the Resolution considered immediately.

Objection being made, the Resolution was ordered for consideration on Monday next.

MESSAGE NO. 7 FROM HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C , December 17, 1870.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that they respectfully insist upon amendment striking out

“seventy” and inserting “thirty” in Section 1 of Senate Bill to make appropriation for the payment and per diem and mileage of the members of the General Assembly, and the salaries of the subordinate officers and other expenses incidental thereto.”

Very respectfully, your obedient servant,

F. J. MOSES, JR.,
Speaker House of Representatives.

Mr. WHITTEMORE moved that a message be sent to the House of Representatives informing that body that the Senate insist on their refusal to concur in House amendment, and asking that a Committee of Conference on the part of the House, be appointed to confer with a similar Committee on the part of the Senate, on matters of disagreement between the two Houses.

The question was taken on agreeing to the motion of the Senator from Darlington, and decided in the affirmative.

Mr. LESLIE moved that the vote whereby the Senate insisted on its refusal to concur in House amendment be reconsidered.

On the question of agreeing to the motion of the Senator from Barnwell,

Mr. SMALLS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Johnston, Montgomery, Nash, Smalls, Swails.—5.

Nays—Messrs. Allen, Arnim, Bieman, Burroughs, Cardozo, Clinton, Dickson, Duncan, Duvall, Foster, Greene, Hayne, Holcombe, Leslie, Owens, Rose, Whittemore, Wilson, Wimbush.—19.

So the motion to reconsider was not agreed to.

Messrs. Greene, Leslie, Nash, were appointed Committee of Conference on the part of the Senate.

The House sent to the Senate,

Joint Resolution authorizing and directing the State Auditor and County Commissioners to levy certain taxes.

The Joint Resolution received its first reading, was ordered for a second reading and consideration on Monday, and to be printed.

PETITIONS, &c.

Mr. MONTGOMERY presented the petition of the County Commissioners of Newberry County, asking an increase of assessment ; which was referred to the Committee on Finance.

Mr. LESLIE presented sundry accounts of Fagan & Brothers, A. Palmer, and others, against the Sergeant-at-Arms of the Senate ; which were referred to the Committee on Contingent Accounts and Expenses.

Mr. NASH presented the account of the Columbia Gas Company ; which was referred to the Committee on Claims.

JOURNAL OF THE SENATE, REPORTS OF COMMITTEES.

Mr. NASH, from the Committee on Contingent Accounts and Expenses of the Senate, to whom was referred the account of J. W. Denny, for stationery, reported back the same, with the recommendation that it be paid.

On motion of Mr. LESLIE, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

Mr. ROSE, from the Committee on Public Buildings, to whom was referred a Concurrent Resolution instructing said Committee to inquire into the expediency of heating the Lunatic Asylum by means of steam pipes, reported back the same, with the recommendation that the Resolution be ordered to lie on the table.

Ordered for consideration on Monday.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, the following:

Bill to incorporate the Stonewall Fire Engine Company, of Chester;

Bill to provide for the publication of the Acts, Reports, Resolutions, Journals and other papers of the General Assembly;

Bill to incorporate the Young Men's Brotherly Association;

Bill to extend the limits of the Town of Camden;

Joint Resolution authorizing the State Librarian to cause to be prepared an Index to Volume 14th of the Statutes of this State.

Ordered for consideration on Monday next.

RESOLUTIONS.

Mr. JOHNSTON introduced the following Concurrent Resolution:

Be it resolved by the Senate, the House of Representatives concurring, That the State Librarian transfer to the Supreme Court, for deposit in the Library of that Court, all volumes of law reports now in the State Library, or which, from time to time, may be received at the State Library, other than the reports of the State of South Carolina.

Ordered for consideration on Monday next.

NOTICES OF BILLS.

Mr. WIMBUSH gave notice that he will, on Monday, or some subsequent day, ask leave to introduce

A Bill to amend an Act entitled "An Act to provide for the appointment of a Land Commissioner, and define his powers and duties."

A Bill to alter and amend an Act entitled "An Act to renew and amend the charter of the Town of Chester," approved March 26, 1869.

BILLS INTRODUCED.

Mr. WIMBUSH, from the Committee on Incorporations, introduced
A Bill to incorporate the Town of Midway.

The Bill received its first reading, was ordered for a second reading and consideration on Monday, and to be printed.

Mr. ARNIM, pursuant to notice, introduced
A Bill to charter the Town of Hamburg.

The Bill received its first reading, and was ordered for a second reading and consideration on Monday next.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders.

On motion of Mr. HAYNE, the Senate took up, out of its order, for consideration,

Bill to repeal an Act entitled "An Act to establish a State Police."

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

On motion of Mr. HAYNE, the Senate took up, out of its order, for consideration,

Bill to extend the time for officers to qualify.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That it be engrossed for a third reading.

On motion of Mr. SWAILS, the Senate took up, out of its order, for consideration,

Bill (House) to vest the title of the State to a lot of land in the village of Orangeburg, of which Deidrich Klepping died seized, in the purchaser or purcharers who shall pay for the premises under a sale by a decree of the Probate Court of Charleston County, and to direct the application of the proceeds of sale.

The Bill received its third reading.

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled.

On motion of Mr. LESLIE, the Senate took up, out of its order, for consideration,

Bill to vest the right and title of the State in and to certain escheated property in a certain person therein mentioned.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That it be engrossed for a third reading.

Resolution that Bills reported ready for a third reading, be read the same day.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

The Senate took up for a third reading

Bill to provide for the publication of Acts, Reports, Resolutions, Journals and other papers of the General Assembly.

The Bill received its third reading.

On motion of Mr. WHITEMORE, and by unanimous consent of the Senate, Section 4 was amended, in the second line, by inserting after the word "work" the words "out of any moneys in the Treasury not otherwise appropriated."

The Bill, as amended, passed, and was ordered to be sent to the House of Representatives.

Bill to incorporate the Stonewall Fire Engine Company, of Chester, South Carolina.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Bill to incorporate the Young Men's Brotherly Association.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Bill to extend the limits of the town of Camden.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Joint Resolution authorizing the State Librarian to cause to be prepared an index to Volume 14 of the Statutes of the State.

The Joint Resolution received its third reading, passed, and was ordered to be enrolled for ratification.

Report of Committee on Incorporations on a Bill to incorporate the town of Timmons ville.

The Report was read, and, with the Bill, was taken up for consideration, as in Committee of the Whole.

The Bill having received its second reading, was amended in accordance with the recommendations of the Committee on Incorporations.

There being no further amendments,

Ordered, That it be engrossed for a third reading.

Bill to amend an Act entitled "An Act to alter and amend an Act to authorize the sale of the Columbia Canal"

On motion of Mr. ARNIM, the Bill was read by its title, and referred to the Committee on Roads, Bridges and Ferries.

Bill to regulate the appointments, jurisdiction and duties of Notaries Public.

On motion of Mr. SWAILS, the Bill was read by its title and referred to the Committee on the Judiciary.

On motion of Mr. MONTGOMERY, the Senate adjourned at 1:35 P. M.

MONDAY, DECEMBER 19, 1870.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Journal of Saturday was read.

Mr. CARDOZO asked and obtained leave of absence for the Senator from Marlboro for five days, on account of illness in his family.

Mr. WIMBUSH asked and obtained leave of absence for the Senator from Marion for four days, on account of important business.

Mr. WHITTEMORE rose to a question of privilege, and said :

Mr. PRESIDENT: I ask the indulgence of the Senate as I rise once more to a question of privilege. I did not expect so soon again to be called upon to speak of a character so insignificant, so contemptible.

But, Mr. President, *small things* must sometimes receive more than their share of notice. There are those who abuse the privileges we have accorded them ; who occupy their places upon this floor to impugn, misrepresent and malign us. It is not the individual Senator that they attack in their malicious scandal, but the entire Senate ; and it is for this reason I am forced to speak. And when, after having been reminded of a violation of the courtesies we have extended, or warned against a further breach of propriety, they fail to correct their abuse, they should forfeit such favors, and by us be denied the further enjoyment of them.

I ask the Senate not to shut out the honest, fair, impartial reporter of our arguments or acts, our motives or measures ; but I do expect the narrow, selfish, malignant falsifier of our words and works to be prohib-

ited an entrance here—to be clothed with the censure his treatment of our favors has merited.

Again has the sensational pabular spoken in his native dialect. I send the characteristic effusion published in the Charleston News of the 17th instant to the Chair, and ask that the Clerk may read it.

The Clerk read as follows:

“TOO SENSITIVE BY ONE-HALF.—Messrs. Hayes, Owens and Foster were announced this morning as a Committee on the part of the Senate to investigate the affairs of the Land Commission.

On hearing these names announced, Whittemore, who has been endeavoring to give himself prominence in this investigating business, stung with disappointment at not hearing *his* name, rose excitedly to a question of privilege, and took exception to the following paragraph from your correspondence of the 12th instant:

“It may be well to explain just here that the main fight on this land investigation business will be, and was, as well, on the appointment of persons on the Committee. It seemed to be the idea that there was to be some considerable *pabulum* coming from it, and for this reason Whittemore wanted to place himself on the Committee. But he failed, and must feel disappointed.”

Among other things, he said: I simply cast the imputation back into the face of the author, and say, as I dismiss this Bohemian:

“That all men must serve their time to every trade,
Save falsehood;
Liars are already made.”

Coming from a *gentleman* this would be insulting, but the known character of Whittemore vitiates its force.

Now, it will be observed that Whittemore has “gone off too quick on the trigger,” for I did not accuse him of seeking *pabulum*, but said, substantially, that the opposition his scheme received in the Senate was on account of his associates suspecting him of it. This suspicion is natural to minds whose recollection of Whittemore’s recent career is fresh.

I will take no further notice of him than to repeat a little story: The Rev. Lyman Beecher was once thoughtfully returning from church, walking with a book under his arm, when he observed a peculiar looking little animal in the road. Obeying a natural impulse, he threw his book at it. A pungent odor instantly became apparent, accompanied with a disastrous effect on Beecher’s clothes. Mr. Beecher resolved never again to issue a volume against a skunk. No more will I.”

Now, Mr. President, this crafty scribbler—this foxy dissembler—not anxious to give a faithful chronicle of events, or to quote in full the

remarks I made the other day, upon his mendacious course, attempts, by a mosaic of falsehoods, to extricate himself from the mire in which he has been wallowing, and to besmear "my associates," honorable Senators, with his scurrilous imputations.

His mixed accusations are the outgrowth of the elements that make up his dwarfed and tainted nature. He cannot tell the truth—

"For falsehoods dance upon his lips
As soot-flakes on a burning bar."

That I was to be upon the Special Committee to investigate the affairs of the Land Commission, no one expected—not even the Bohemian himself, for that matter had been decided by the vote of the Senate, and the investigation taken out of the hands of the Committee on Public Lands, of which I am the Chairman.

This willing servant of falsehood again says: "He did not accuse me of seeking *pabulum*, but that my associates suspected me of it, and hence the opposition to my scheme." He asserts this in the face of his notorious paragraph, which I quote again:

"It may be well to explain just here that the main fight on this land investigating business will be, and was, as well on the appointment of persons on the Committee. It seemed to be the idea that there was to be some considerable *pabulum* coming from it, and for this reason Whittemore wanted to place himself on the Committee. But he failed, and must feel disappointed."

A twice told lie!

His allusion to my "recent career"—the unparalleled, unjust, cruel persecution through which I have passed—I forgive. He has no humanity in his composition, and out of the vacant narrowness of his soul he has spoken.

His "little story," so quaintly told, is but an autobiography. He is not too young in years to have lived when the venerable Beecher walked from church; and, if rumor is not like himself, he must have often crossed the path of that eminent divine. It is easy, then, to see who "the little animal" was, and to-day he smells as pungent as when the "thoughtful" preacher cast his volume at him. He has changed his name, but not his odor. His presence is as intolerable now as then. The skunk has taken on the fox's skin, and it were well if we were rid of him. *Hic jacet Reynard.*

Mr. President, were it not for the special interposition of the friends of this violator of extended rights—for even he has friends—I should move for his expulsion from this floor; but I refrain once more, and give him a second warning. If he continues to attack the motives or charac-

ters of Senators, I shall insist that he be denied the further privileges accorded reporters here.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,

MESSAGE No. 8 FROM HOUSE OF REPRESENTATIVES.

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., December 17, 1870.

Mr. President and Gentleman of the Senate :

The House of Representatives respectfully informs your honorable body that they agree to the request for appointment of a Committee of Conference, to adjust differences as to amendment to Senate Bill to make appropriation for the payment of per diem and mileage of members of the General Assembly, &c., and Messrs Whipper, Gardner, Hurley, Bosemon and Briggs, have been appointed a Committee on the part of the House, to meet similar Committee appointed by your honorable body.

Very respectfully, &c.

F. J. MOSES, JR.,
Speaker of the House of Representatives.

MESSAGE No. 9 FROM HOUSE OF REPRESENTATIVES.

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C. December 17, 1870.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that Messrs Mobley, Jervey and O'Connell, have been appointed Committee, on the part of the House, to meet similar Committee appointed on the part of your honorable body, to investigate the Constabulary Department.

Very respectfully, &c.

F. J. MOSES, JR.,
Speaker of the House of Representatives.

COMMUNICATION FROM THE STATE TREASURER.

The PRESIDENT laid before the Senate the following :

EXECUTIVE DEPARTMENT,
STATE TREASURY OFFICE,
COLUMBIA, S. C., December 19, 1870.

To the Honorable the Senate of South Carolina.

GENTLEMEN : I have the honor to acknowledge the receipt of Concurrent Resolution, inquiring why certain accounts of teachers for services

rendered have not been paid, and to submit, in reply, that the cause of delay in the payment of these claims arose from delay of the State Auditor, (which delay by him was caused by the tardiness of Counties to send in their returns promptly, as instructed by his Circular, a copy of which is herewith enclosed,) to render the return to this office, thereby making it necessary for me to stop payment until accounts of "Free Schools" could be properly apportioned.

By reference to the report of the State Auditor, (annual,) it will be seen that five of the Counties, to that date, have failed to make the necessary returns.

The report of the Auditor of those who have done so, has but recently been received, and no further delay in payment will ensue than that—say one week—caused by making the transfer and apportionment of the accounts to "Free Schools."

I am, very respectfully,

Your obedient servant,

NILES G. PARKER,

Treasurer State of South Carolina.

[CIRCULAR]

EXECUTIVE DEPARTMENT,
OFFICE OF AUDITOR OF STATE,
COLUMBIA, S. C., September 19, 1870.

Mr. ———,

County Auditor, ———, S C.

DEAR SIR : The enclosed blank forms for County Auditor's settlement with County Treasurer for 1868 and 1869, are sent you to be filled up and completed by the 1st of November, so that they will reach this office, at the latest, by the 5th of that month, in order that the State Auditor and Comptroller-General may be enabled to make their report in time for the meeting of the General Assembly.

Any information asked, concerning filling up the blanks, will be cheerfully given.

Yours, respectfully,

REUBEN TOMLINSON,

State Auditor.

A true copy.

JOHN McCORD,

Chief Clerk Auditor's Office.

Received as information.

PETITIONS, &c.

Mr. SMALLS presented the petition of the County Commissioners of Beaufort County, praying that they be relieved from payment of the

Stenographer of the Courts ; which was referred to the Committee on the Judiciary.

Mr. OWENS presented the accounts of the Spartanburg Republican, for advertising ; which were referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to vest the right and title of the State in and to certain escheated property in a certain person therein mentioned ;

Bill to extend the time for officers to qualify.

The above Bills were taken up for a third reading.

Bill to vest the right and title of the State in and to certain escheated property in a certain person therein mentioned.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Bill to extend the time for officers to qualify.

The Bill received its third reading.

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled.

Mr. CARDOZO, from the Committee on Enrolled Bills, reported as duly and correctly enrolled, and ready for ratification :

Joint Resolution authorizing State Librarian to cause to be prepared an index to Volume 14 of the Statutes of this State.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the above Joint Resolution.

Mr. WIMBUSH, from the Committee on Contingent Accounts and Expenses, to whom were referred sundry contingent accounts against the Senate, reported back the same, with the recommendation that they be paid.

On motion of Mr. LESLIE, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

RESOLUTIONS.

Mr. ARNIM introduced the following Resolution :

Resolved, That the message of the House of Representatives relating to the impeachment of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina, be referred to a Select Committee of five, to be appointed by the Chair, to consider and report thereon ; also, to pre-

pare rules of procedure and practice in the Senate when sitting for the trial of an impeachment.

On motion of Mr. ARNIM, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative

Messrs. Whittemore, Arnim, Montgomery, Wimbush, Wilson, were appointed said Committee.

Mr. DUNCAN introduced the following Resolution :

Whereas, the costs under the present Code are excessive, and greatly more onerous than heretofore in this State ; therefore,

Resolved, That the Judiciary be instructed to inquire whether some change of the present law in respect to " costs " may not be made which will be of benefit to the people at large.

Ordered for consideration to-morrow.

BILLS INTRODUCED.

Mr. WIMBUSH, from the Committee on Incorporations, introduced Bill to alter and renew the charter of the town of Manning.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced

Bill to authorize and empower the County Commissioners of Darlington County to levy a special tax for the further construction and completion of a court house.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Report of the Committee on Public Buildings on Resolution relative to heating the Lunatic Asylum by means of steam pipes.

The Report was read, and taken up for consideration.

After debate, participated in by Messrs. Arnim, Nash, Leslie, Whittemore,

The question was taken on agreeing to the Report, and decided in the affirmative.

So the Resolution was ordered to lie on the table.

After further debate, participated in by Messrs. Nash, Swails, Arnim, Whittemore,

On motion of Mr. SWAILS, the Report was ordered to lie on the table.

On motion of Mr. SWAILS, the Report and Resolution were taken up from the table for consideration.

On motion of Mr. NASH, the Report and Resolution were recommit-
ted to the Committee on Public Buildings.

RATIFICATION OF ACTS.

The SPEAKER of the House of Representatives attended in the Senate, when the following Joint Resolution was duly ratified :

Joint Resolution authorizing the State Librarian to cause to be prepared an index to Volume 14 of the Statutes of this State.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

Bill (House) supplementary to an Act entitled "An Act to authorize administrators, executors, and other fiduciaries, to sell certain evidences of indebtedness at public sale, and compromise in certain cases."

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on the Judiciary.

Bill (by Committee on Incorporations) to incorporate the town of Midway.

The Bill received its second reading, was considered in Committee of the Whole, and by Sections.

On motion of Mr. WHITTEMORE, the Bill was amended by striking out, wherever it occurred, the word "Magistrate," and inserting in lieu thereof the words "Trial Justice, or other inferior Courts."

On motion of Mr. WHITTEMORE, Section 6 was amended in the 4th, 5th and 7th lines of the printed Bill, by striking out the words "of Roads," and inserting before the word "Commissioners" the word "County."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

MESSAGE FROM THE GOVERNOR.

Message No. 5, from His Excellency the Governor, was announced by the Sergeant-at-Arms, and presented to the Senate by Mr. John Heart, Private Secretary.

The PRESIDENT announced that the Message related to Executive Business.

TUESDAY, DECEMBER 20, 1870.

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EXECUTIVE SESSION.

At 1:25 P. M., on motion of Mr. WHITTEMORE, the Senate went into Executive Session.

After disposal of Executive Business, the Senate, at 2 P. M. returned to open session.

On motion of Mr. BARBER, the Senate adjourned at 2:10 P. M.

TUESDAY, DECEMBER 20, 1870.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Journal of yesterday was read.

Mr. Burroughs asked and obtained leave of absence until after the recess.

COMMUNICATION FROM THE STATE SUPERINTENDENT
OF EDUCATION.

The PRESIDENT laid before the Senate the following communication :

OFFICE OF STATE SUPERINTENDENT OF EDUCATION S. C.,
COLUMBIA, December 20, 1870.

To the Honorable the President and the Senate

of the State of South Carolina :

GENTLEMEN : I have the honor herewith to submit for your consideration, a statement concerning the Contingent Fund of the office of the State Superintendent of Education of the State of South Carolina, for the fiscal year ending October 31, 1869. I shall, at an early day, take great pleasure in presenting to your honorable body, a similar exhibit in regard to the Contingent Fund of this office for the fiscal year ending October 31, 1870.

Very respectfully,

J. K. JILLSON,
State Superintendent of Education S. C.

Received as information, and, with the statement, ordered to be printed.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned to the Senate,

An Act to make appropriation for the payment of the per diem and mileage of the members of the General Assembly, and the salaries of the subordinate officers, and other expenses incidental thereto.

Ordered, That it be enrolled for ratification.

PETITIONS, &c.

Mr. CARDOZO presented the petition of the Camden Bridge Company, praying for recharter ; which was received as information.

Mr. CARDOZO presented the petition of John McRae, of Kershaw County, praying to be released from his liability for the support of J. C. Whittaker, a lunatic, placed in the Lunatic Asylum, at Columbia ; which was referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. GREENE, from the Committee of Conference, submitted the following report :

SENATE CHAMBER, COLUMBIA, December 19, 1870.

The Committee of Conference, appointed on the part of the Senate, on the Bill to make appropriation for the payment of the per diem and mileage of the members of the General Assembly, and the salaries of the subordinate officers, and other expenses incidental thereto, respectfully report that they have met the Committee on the part of the House of Representatives, and agreed to the amendment of the House, to strike out the word "seventy," (70) on the third line of the first Section, and insert "thirty" (30) instead, so that it may read as follows : "One hundred and thirty-five thousand dollars (\$135,000.)" And they would recommend that the Senate agree to said amendment.

JOS. A. GREENE,

Chairman Committee of Conference on part of Senate.

On motion of Mr. GREENE, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

A message, with the Bill, was returned to the House of Representatives accordingly.

Mr. WHITEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Bill to incorporate the town of Midway ;

Bill to incorporate the town of Timmons ville.

The above Bills received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. HAYES, from the Committee on Claims, to whom was referred the Report of the House Committee on Claims on the account of N. E. Edwards, School Commissioner of Richland County, reported back the same, with a recommendation that the Senate concur in said report, allowing Mr. Edwards two hundred and four dollars for his services.

On motion of Mr. HAYES, the Rule was suspended, and the Report considered immediately.

After debate, participated in by Messrs. Nash, Whittemore, Leslie, Arnim,

On the question of agreeing to the Report,

On division, the Senate voted, yeas 5 ; nays 13.

So the Senate refused to agree to the Report of the House Committee, and a message sent to the House accordingly.

Mr. HAYES, from the Committee on Claims, to whom was referred the accounts of the Spartanburg Republican, for public printing, reported back the same, with a recommendation that the claims, amounting to four hundred and sixty dollars and sixty-eight cents, be paid.

Ordered for consideration to-morrow.

Mr. GREENE, from the Committee on Finance, to whom was referred a Bill to empower the State to maintain the beneficiaries of the Lunatic Asylum, instead of the several counties, reported back the same, with the recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. GREENE, from the Committee on Finance, to whom was referred the petition of Professors M. LaBorde, J. L. Reynolds, W. J. Rivers and Librarian, C. Bruce Walker, praying for payment of claims against the State, &c., reported back the same, with the recommendation that the prayer of the petitioners be not granted.

Ordered for consideration to-morrow.

Mr. CARDOZO, from the Committee on Charitable Institutions, submitted the Report of that Committee relative to affairs of the Lunatic Asylum.

Ordered for consideration to-morrow, and to be printed.

Mr. CARDOZO, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification, the following named Act :

An Act to make appropriation for the payment of the per diem and mileage of the members of the General Assembly, and the salaries of the subordinate officers, and other expenses incidental thereto.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the above Act.

RESOLUTIONS.

Mr. WHITTEMORE introduced the following Resolution :

Resolved, That His Excellency the Governor be, and is hereby, requested to inform the Senate whether he has notified the proper authorities of the United States of the passage of the Act entitled "An Act accepting the donation of lands to the State of South Carolina for the endowment of Agricultural Colleges," approved December 10, 1868, and taken such other steps as may have been necessary to obtain the land scrip to which the State of South Carolina is entitled under the provisions of an Act of the Congress of the United States of America entitled "An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, and of subsequent Acts ; and also, to communicate to the Senate all other information in his possession concerning the said land scrip.

Ordered for consideration to-morrow.

Mr. SMALLS introduced the following Resolution :

Resolved, That no Bill in the Senate shall receive a second reading till after it has been laid on the desk of each member of this body for twenty-four hours : *Provided*, It be otherwise determined by a majority of the Senate.

Ordered for consideration to-morrow.

Mr. ALLEN introduced the following Resolution :

Resolved, That the Clerk of the Senate be authorized to draw a pay certificate for the sum of four thousand (4,000) dollars, on account of the current printing of the Senate.

On motion of Mr. ALLEN, the Rule was suspended, and the Resolution considered immediately.

Mr. ARNIM moved that the Resolution be referred to the Committee on Printing.

On the question of agreeing to the motion of the Senator from Edgefield,

Mr. SMALLS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Arnim, Burroughs, Cardozo, Clinton, Dickson, Duvall, Foster, Holcombe, Johnston, Nash, Smalls, Swails, Wimbush.—13.

Nays—Messrs. Allen, Duncan, Greene, Hayes, Leslie, Owens, Whittemore.—7.

So the Resolution was referred to the Committee on Printing.

NOTICES OF BILLS.

Mr. DICKSON gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to authorize the County Commissioners of Clarendon County to levy a special tax for the construction of a Court House and Jail.

Mr. SWAILS gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to provide for the redemption of certain lands sold under orders of General E. R. S. Canby, for taxes.

Mr. SWAILS gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Joint Resolution authorizing the County Commissioners of Williamsburg County to levy a special tax.

Mr. JOHNSTON gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Joint Resolution to prohibit incarceration of children under the age of fourteen in the State Penitentiary.

Mr. CARDOZO gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to recharter the Camden Bridge Company.

BILLS INTRODUCED.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to authorize and empower the Board of County Commissioners of Darlington County to borrow twenty-five thousand dollars to pay off the present indebtedness of the County, and to issue bonds for the same.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to provide for levying a tax for the support of public schools, for the year 1871.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE introduced the following:

Whereas His Honor James L. Orr, of the Eighth Judicial Circuit, having faithfully and satisfactorily discharged all his official duties, which

duties, on account of the recent change in our Judicial system, which tedious and arduous, being frequently compelled to hold extra courts in his circuit; has also, in addition to the labors performed in his own immediate circuit, been called to hold seven or eight courts in adjacent circuits, thereby rendering his labors nearly double to what they otherwise would have been; therefore,

Resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Hon. James L. Orr, be allowed dollars, as compensation for extra Judicial service, and the Treasurer of the State is hereby authorized and directed to pay the same out of any funds in the Treasury not otherwise appropriated.

The Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

MESSAGE FROM THE GOVERNOR.

Message No. 6, from His Excellency the Governor, was announced by the Sergeant-at-Arms, and presented to the Senate by Mr. John Heart, Private Secretary.

The PRESIDENT announced that the Message related to Executive business.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Bill to charter the town of Hamburg. . .

On motion of Mr. ARNIM, the Bill was read by its title, and referred to the Committee on Incorporations.

On motion of Mr. LESLIE, the Senate took up, out of its order, for consideration,

Joint Resolution (House) authorizing and directing the State Auditor and County Commissioners to levy certain taxes.

The Resolution received its second reading, and was considered as in Committee of the Whole.

Mr. LESLIE moved to amend by inserting after the word "Georgetown," the words "Barnwell, Newberry, Beaufort, Pickens, Horry."

After debate, participated in by Messrs. Whittemore, Leslie, Nash, Arnim, Wimbush, Duvall,

On motion of Mr. WIMBUSH, the Resolution was referred to the Committee on Finance, with instructions to report to-morrow morning.

EXECUTIVE SESSION.

At 2:05 P. M., the Senate went into Executive Session.

After the disposal of the Executive business, the Senate returned to open session.

REPORTS OF COMMITTEES.

Mr ALLEN, from the Committee on Printing, to whom was referred the Resolution authorizing the Clerk to draw a pay certificate for four thousand dollars on account of current printing of the Senate, reported back the same, with the recommendation that the Resolution be agreed to.

On motion of Mr. SWAILS, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the report, and decided in the affirmative.

On motion of Mr. BURROUGHS, the Senate adjourned at 2:15 P. M.

WEDNESDAY, DECEMBER 21, 1870.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the Hon. C. W. MONTGOMERY, President *pro tem*.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by Rev. Mr. B. F. Roberts.

The Journal of yesterday was read.

REPORT OF THE COMMISSIONERS OF THE CODE.

The PRESIDENT laid before the Senate,

Report of Commissioners on the Revision and Consolidation of the Statute Laws of the State.

Received as information.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,

Preamble and Resolution in regard to the Fire Loan Stock of the State of South Carolina.

Mr. LESLIE moved that the Resolution be referred to the Committee on Finance.

Mr. WIMBUSH moved to amend the motion of the Senator from Barnwell, by the addition of the words, "with instructions to report to-morrow morning."

The amendment of the Senator from Chester was accepted.

After debate, participated in by Messrs. Leslie, Wimbush, Nash, Whittemore,

The question was taken on agreeing to the motion of the Senator from Barnwell, and decided in the affirmative.

The House also sent to the Senate,

Report of the Committee on Claims of the House of Representatives on the accounts of J. H. Leland, for services as school teacher ; which was referred to the Committee on Claims.

The House sent to the Senate

Bill to incorporate the Hedges Light Guard ;

Bill to recharter Moore's Ferry, under the name of Dinkins' Ferry, over the Catawba River.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

The House sent to the Senate

Joint Resolution instructing the State Auditor to order enforcement of the collection of taxes ;

Joint Resolution to authorize the State Treasurer to pay the sum of \$58 out of the Treasury to Henry Newton ;

Joint Resolution authorizing the State Auditor to suspend proceedings in certain cases ;

Joint Resolution authorizing the State Librarian to purchase certain volumes of State Reports.

The above Joint Resolutions received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

PETITIONS, &c.

Mr. WHITTEMORE presented copy of the presentment of the grand jury of Darlington County for the June Term, 1870, of the Court of General Sessions and Common Pleas for that County ; which was referred to the Committee on Finance.

Mr. OWENS presented the account of James L. Lewis, for services rendered as school teacher ; which was referred to the Committee on Claims.

Mr. NASH presented the account of the Clerk, for newspapers furnished the Senate; which was referred to the Committee on Contingent Accounts and Expenses.

BILLS INTRODUCED.

Mr. SWAILS, pursuant to notice, introduced

A Bill to provide for the redemption of certain lands sold under order of General Ed. R. S. Canby, for taxes.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. JOHNSTON, pursuant to notice, introduced

Joint Resolution to prohibit the incarceration of children under fourteen years of age in the State Penitentiary.

The Joint Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

REPORTS OF COMMITTEES.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was recommitted a Bill to renew and amend the charter of the town of Mt. Pleasant, reported back the same, with a recommendation that the Bill be amended by striking out of Section 6, sixth line, the words "of Roads," and inserting before the word "Commissioners" the word "County."

Ordered for consideration to-morrow.

Mr. CARDOZO, from the Committee on Enrolled Bills, reported as duly and correctly enrolled and ready for ratification,

An Act to extend the time for officers to qualify.

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate to assist in the ratification of the above Act.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Preamble and Resolution of the Senate to take order upon the demand of the House of Impeachment.

On motion of Mr. WHITTEMORE, the Preamble and Resolution were referred to the Special Committee appointed to prepare rules of procedure and practice in the Senate, when sitting for the trial of an impeachment.

Concurrent Resolution to authorize the State Librarian to transfer certain Volumes of Law Reports in the State Library to the Supreme Court.

On motion of Mr. SWAILS, the Resolution was referred to the Committee on the Judiciary.

Bill to alter and renew the charter of the Town of Manning.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Pending the consideration of Section 6,

The PRESIDENT announced the Speaker of the House of Representatives.

RATIFICATION OF ACTS.

The Speaker of the House of Representatives attended in the Senate, when the following Acts were duly ratified :

An Act to make appropriation for the payment of the per diem and mileage of the members of the General Assembly, and the salaries of the subordinate officers, and other expenses incidental thereto.

An Act to extend the time for officers to qualify.

GENERAL ORDERS.

The Senate resumed the consideration of Section 6 of a Bill to alter and renew the charter of the town of Manning.

On motion of Mr. CORBIN, Section 6 was amended in the 21st and 22d lines, printed Bill, by striking out the words " that no fine shall exceed fifty dollars for any one offence," and inserting in lieu thereof the words " that no punishment imposed shall exceed fifty dollars' fine, or thirty days' imprisonment."

On motion of Mr. CORBIN, Section 8 was amended by striking out in the 3d and 4th lines the words " and for that purpose they are invested with all the powers and duties of County Commissioners."

On motion of Mr. WHITTEMORE, Section 19 was amended in the first line, printed Bill, by striking out the word " malpractice," and inserting in lieu thereof the words " malfeasance in office."

Mr. JOHNSTON moved to amend Section 14 by the addition of the words " except all such as are exhibited for charitable purposes."

The question was taken on agreeing to the amendment of the Senator from Sumter, and decided in the negative.

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

REPORTS OF COMMITTEES.

Mr. GREENE, from the Committee on Finance, to whom was referred a Joint Resolution authorizing the State Auditor and County Commis-

sioners to levy certain taxes, reported back the same, with the recommendation that said Resolution do pass, with the following amendments:

1. Strike out the word and figure "eight" on the fourth line, and insert the word and figure "nine," so that the said Resolution will authorize a State tax to be levied of nine mills.

2. On the tenth line strike out the word "Beaufort," and insert, on the thirteenth line, between the words "Laurens" and "Counties," the words "Beaufort, Barnwell, Newberry, Pickens and Edgefield," and add at the end of the Resolution "excepting the Counties of Clarendon and Darlington, who are hereby authorized to levy and collect a tax not exceeding five mills on the dollar. Two mills of said tax so levied in Darlington County shall be devoted to the completion of the Court House at Darlington, provided so much shall be necessary."

On motion of Mr. GREENE, the Rule was suspended, and the Report considered immediately.

On the question of agreeing to the amendment recommended by the Committee to strike out the word and figure "eight" on the fourth line, and insert the word and figure "nine,"

After debate, participated in by Messrs. Arnim, Leslie, Nash, Greene, Corbin, Duvall, Whittemore,

Mr. DUVALL called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Barber, Cardozo, Clinton, Corbin, Duncan, Greene, Johnston, Leslie, Nash, Owens, Rose, Swails, Whittemore, Wilson.—15.

Nays—Messrs. Bieman, Dickson, Duvall, Foster, Hayes, Holcombe, Wimbush.—7.

So the amendment was agreed to.

On motion of Mr. WHITTEMORE, the amendment of the Committee was amended by inserting after the word "Clarendon" the word "Horry."

On motion of Mr. NASH, the amendment of the Committee was further amended by inserting after the word "Horry" the word "Richland."

On motion of Mr. CORBIN, the Resolution was amended by striking out the words "excepting the County Commissioners of Charleston County, who are hereby authorized to levy and cause to be collected a tax not exceeding three and a half ($3\frac{1}{2}$) mills on the doilar."

The question was then taken on agreeing to the amendment of the Committee, as amended, and decided in the affirmative.

There being no further amendments,

Ordered, That the Joint Resolution, as amended, be engrossed for a third reading.

JOURNAL OF THE SENATE,
MESSAGE FROM THE GOVERNOR.

Message No. 7, from his Excellency the Governor, was announced by the Sergeant-at-Arms, and presented to the Senate by Mr. John Heart, Private Secretary.

The PRESIDENT announced that the Message related to Executive business.

RESOLUTIONS.

Mr. WIMBUSH introduced the following:

Resolved, That the Committee on Privileges and Elections be instructed to report upon the vacancies now existing in the Senate from the Counties of Charleston, Georgetown and Abbeville, on to-morrow.

On motion of Mr. WIMBUSH, the Rule was suspended, and the Resolution considered immediately.

After debate, participated in by Messrs. Nash, Corbin,

The PRESIDENT, on the question raised as to the duty and power of the President of the Senate, in the matter, read for information, Sec. 29, Art 2, of the Constitution, and stated that while he believed the duty of the President, in case of vacancies, was made perfectly clear by this provision of the Constitution, it was his desire to have such information upon the subject that his action may stand the test of any investigation, legal or otherwise. As inquiry in reference to the facts and the law relative to these vacancies were being made by the Senate, he trusted that the result would be known in a reasonable time. He also desired to state that all parties may rest assured that he will endeavor to discharge his duties to the best of his understanding, with a zealous regard for the rights of all, impartially, and without fear or favor.

The question was then taken on agreeing to the Resolution, and decided in the negative.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

Bill to authorize and empower the County Commissioners of Darlington County to levy a special tax for the further construction and completion of a court house.

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on Finance.

Resolution to instruct the Committee on the Judiciary to inquire relative to a change of costs of Court.

On motion of Mr. WHITTEMORE, the Resolution was referred to the Committee on the Judiciary.

Report of the Committee on Claims on the account of the Spartanburg Republican.

The Report was read, and taken up for consideration.

The question was taken on agreeing to the Report, and decided in the affirmative.

On motion of Mr. WIMBUSH, the Senate adjourned at 2:45 P. M.

THURSDAY, DECEMBER 22, 1870.

Pursuant to adjournment the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Rev. S. Brown.

The Journal of yesterday was read.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

Report of the Committee on Claims of the House of Representatives on accounts of the Winnsboro Herald, and W. J. Pinckney; which were referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Joint Resolution authorizing and directing the State Auditor and County Commissioners to levy certain taxes.

The Joint Resolution received its third reading, passed, and was ordered to be returned to the House of Representatives for concurrence in amendments.

Mr. CARDOZO, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed and ready for ratification,

An Act to vest the title of the State to a lot of land in the village of Orangeburg, of which Diedrich Klepping died seized, in the purchaser or purchasers who shall pay for the premises under a sale made by a

decree of the Probate Court of Charleston County, and to direct the application of the proceeds of sale.

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate to assist in the ratification of the above Act.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill to provide for the protection of persons, property and the public peace, and to tax real estate for the expense of the same, reported back the same, amended as follows:

1. That the title to the Bill be changed so as to read, "A Bill to provide for the protection of persons, property and the public peace"

2. That the whole of the first Section be stricken out, as the right to sue for damages for injuries to the life, liberty or peace of any citizen, as well as the right to cause criminal prosecutions to be instituted for the same injuries, is already a part of the established common and statute law of this State.

3. That the number of Section 2 be changed to Section 1, and that the number of each following Section be changed so that the numbers of the Sections may follow each other in regular sequence. Also, that the words "And be it further enacted, &c.," at the beginning of each Section, be stricken out as surplusage.

4. That in the fourth line of Section 1 (present number 2) the following words be inserted between the words "Constitution" and "thereof," viz: "and laws;" and in the same line, the following words be inserted between the words "or" and "for," viz: "by the Constitution and laws of this State;" that the first blank space in the seventh line of the same Section be filled by the insertion of the words "fifty or more than one thousand dollars;" and that the second blank space, in same line, be filled by the insertion of the words "three months or more than one year."

5. That the blank space in the ninth line of Section 2 (present number 3) be filled by the insertion of the words "one hundred or more than two thousand dollars;" and that the blank space, in the tenth line of same Section, be filled by the insertion of the words "six months or more than three years."

6. That the following amendments be made to Section 4, (present number 5): Strike out the word "Solicitors" in the first line; strike out the words "and all," in the third line, and the words "other officers who may be specially empowered by the Governor of the State," in the fourth line; and, also, strike out the whole of the 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th and 18th lines.

7. In Section 5 (present number 6) strike out, in the second line, the

words "concurrently with Trial Justices' Courts;" and strike out all after the word "Act" where it first occurs in the fifth line.

8. That the blank space in the seventh line of Section 6 (present number 7) be filled by the insertion of the words "five hundred dollars;" that the words "fined not less than" or be imprisoned not less than or both" be stricken out of the fourteenth and fifteenth lines, and that the word "punished" be inserted in place thereof. This amendment is recommended in order that this portion of the Section may correspond with the provisions of Section 52, p. 52, A. A., 1839, 11th Volume of the Statutes at Large.

9. That in Section 7 (present number 8) the words "on conviction" be inserted between the words "shall" and "for" in the eleventh line, that the word "exceeding" be stricken out of the twelfth line and that, where it first occurs, the words "less than fifty nor more than," be inserted in place thereof; and that, where it occurs at the end of the line, the words "less than three months nor more than," be inserted in place thereof; also, that the words "on conviction before the Court" be stricken out of the thirteenth line.

10 That in Section 8 (present number 9) the words "his vested" be stricken out of the second line, and the word "the" be inserted in place thereof; that in the same line, after the word "rights," and before the word "or," the following words be inserted: "and privileges secured to him by the Constitution and laws of the United States, or by the Constitution and laws of this State;" that all after the word "award," in the sixth line, be stricken out, and the following be inserted in place thereof: "which shall be paid by the County Treasurer of such County, on a warrant drawn by the County Commissioners thereof; which warrant shall be drawn by the County Commissioners as soon as a certified copy of the judgment roll is delivered them for file in their office."

11. That the whole of the tenth Section be stricken out.

12. That the following Sections be added to the Bill:

SEC. 9. In all cases where any dwelling house, or the building, or any ~~property~~ property, real or personal, shall be destroyed in consequence of any mob or riot, it shall be lawful for the person or persons owning or interested in such property, to bring suit against the County in which such property was situated and being, for the recovery of such damages as he or they sustained by reason of the destruction thereof, and the amount which shall be recovered in said action shall be paid in the manner provided by Section 8 of this Act.

SEC. 10. No person or persons shall be entitled to the recovery of such damages, if it shall appear that the destruction of his or their property was caused by his or their illegal conduct, nor unless it shall appear that

he or they, upon knowledge had of the intention or attempt to destroy his or their property, or to collect a mob for that purpose, and, sufficient time intervening, gave notice thereof to a Constable, Sheriff or Trial Justice of the County in which such property was situated and being; and it shall be the duty of such Constable, Sheriff or Trial Justice, upon receipt of such notice, to take all legal means necessary for the protection of such property so attacked, or threatened to be attacked; and, if such Constable, Sheriff or Trial Justice, upon receipt of such notice, or upon knowledge of such intention or attempt to destroy such property in anywise received, shall neglect or refuse to perform his duties in the premises, he or they so neglecting or refusing, shall be liable for the damages done to such property, to be recovered by action, and shall also be deemed guilty of a misdemeanor in office, and, on conviction thereof, shall forfeit his commission.

SEC. 11. Nothing in this Act shall be construed to prevent the person or persons whose property is injured or destroyed, from having and maintaining his or their action against all and every person and persons engaged or participating in said mob or riot, to recover full damages for any injury sustained: *Provided, however,* That no damages shall be recovered by the party injured against any of the said rioters for the same injury for which compensation shall be made by the County.

SEC 12. It shall be lawful for the County Commissioners of the County against which damages shall be recovered under the provisions of this Act, to bring suit or suits in the name of the County, against any and all persons engaged or in any manner participating in said mob or riot, and against any Constable, Sheriff or Trial Justice, or other officer charged with the maintenance of the public peace, who may be liable, by neglect of duty, to the provisions of this Act, for the recovery of all damages, costs and expenses incurred by said County, and such suits shall not abate or fail by reason of too many or too few parties defendant being named therein.

Ordered for consideration on Thursday, January 5, 1871, and to be printed.

Mr. CARDOZO, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed and ready for ratification, the following Joint Resolution:

Joint Resolution authorizing the Attorney General to employ assistance in certain suits now pending, and making an appropriation to pay for the same.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate, to assist in the ratification of the above Joint Resolution.

Mr. CARDOZO, from the Committee on Enrolled Acts, reported that the following Acts, having been duly enrolled, sealed, and ratified, were presented to His Excellency the Governor for his approval Wednesday, December 21, 1870, at 1:45 P. M.:

An Act to make appropriation for the payment of the per diem and mileage of members of the General Assembly, and the salaries of the subordinate officers and other expenses incidental thereto;

An Act to extend the time for officers to qualify.

Mr. GREENE, from the Committee on Finance, to whom was referred House Concurrent Resolution in regard to the Fire Loan Stock of the State of South Carolina, reported back the same, with the recommendation that the said Resolution be laid on the table.

On motion of Mr. LESLIE, the Rule was suspended, and the Report considered immediately.

Pending debate, participated in by Messrs. Leslie, Nash, Swails,

The PRESIDENT announced the hour arrived for the consideration of the

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order, to wit:

Bill to amend the charter of the Columbia Bridge Company.

On motion of Mr. WHITTEMORE, the further consideration of the Special Order, was postponed, and made the Special Order for Thursday, January 5, 1871, at 1 P. M.

UNFINISHED BUSINESS.

The Senate resumed the consideration of the Unfinished Business, to wit:

Report of Committee on Finance on House Concurrent Resolution in regard to the Fire Loan Stock of the State of South Carolina.

On the question of agreeing to the Report of the Committee, Mr. NASH called for the yeas and nays.

The yeas and nays were taken and resulted as follows:

Yeas—Messrs. Allen, Arnim, Barber, Cardozo, Duncan, Greene, Leslie, Montgomery, Owens, Rose, Swails, Whittemore, Wilson.—13.

Nays—Messrs. Bieman, Holcombe, McIntyre, Nash.—4.

So the Resolution was ordered to lie on the table, and a message sent to the House of Representatives accordingly.

REPORTS OF COMMITTEES.

Mr. NASH, from the Committee on Contingent Accounts and Expenses, to whom was referred sundry accounts of the Clerk, for newspa-

pers furnished the Senate, reported back the same, with the recommendation that they be paid.

On motion of Mr. NASH, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the report, and decided in the affirmative.

Mr. LESLIE, from the Committee on Contingent Accounts and Expenses, to whom was referred sundry contingent accounts against the Senate, reported back the same, with the recommendation that they be paid.

On motion of Mr. LESLIE, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

BILLS INTRODUCED.

Mr. CARDOZO, pursuant to notice, introduced

Bill to renew the charter of the Camden Bridge Company.

The Bill received its first reading, was ordered for a second reading and consideration on Thursday, January 5, 1871, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced

Bill to alter and renew the charter of the town of Darlington.

The Bill received its first reading, was ordered for a second reading and consideration on Thursday, January 5, 1871, and to be printed.

Mr. WHITTEMORE, from the Committee on the Judiciary, introduced

Bill to authorize Circuit Judges to hold Courts in other Circuits than their own.

The Bill received its first reading, was ordered for a second reading and consideration on Thursday, January 5, 1871, and to be printed.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Report of the Committee on Finance on a Bill to empower the State to maintain the beneficiaries in the Lunatic Asylum, instead of the several Counties.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Report of the Committee on Finance on the petition of the Professors and Librarian of the South Carolina University.

On motion of Mr. ARNIM, the further consideration of the Report was postponed, and made the Special Order for Saturday, January 7, 1871, at 1:30 P. M.

Bill to authorize and empower the Board of County Commissioners of Darlington County to borrow twenty thousand dollars to pay off the present indebtedness of the County, and to issue bonds for the same. •

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on Finance.

Bill to provide for levying a tax for the support of public schools for the year 1871.

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on Finance.

Report of the Committee on Charitable Institutions on the Lunatic Asylum.

The Report was received as information.

Joint Resolution to allow His Honor James L. Orr compensation for extra services.

On motion of Mr. WHITTEMORE, the Joint Resolution was referred to the Committee on the Judiciary.

Resolution requesting His Excellency the Governor to communicate to the Senate information concerning the land scrip.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Resolution to require Senate Bills to be laid on the desks of Senators twenty-four hours previous to second reading.

On motion of Mr. WHITTEMORE, the Resolution was ordered to lie on the table.

Bill (House) to recharter Moore's Ferry, under the name of Dinkins' Ferry, over the Catawba River.

On motion of Mr. ARNIM, the Bill was read by its title, and referred to the Committee on Roads, Bridges and Ferries.

Bill to incorporate the Hedges Light Guard.

On motion of Mr. ARNIM, the Bill was read by its title, and referred to the Committee on Incorporations.

Joint Resolution (House) instructing the State Auditor to order enforcement of collection of taxes.

On motion of Mr. WHITTEMORE, the Resolution was referred to the Committee on Finance.

Joint Resolution (House) authorizing the State Auditor to suspend proceedings in certain cases.

On motion of Mr. WHITTEMORE, the Resolution was referred to the Committee on Finance.

Joint Resolution (House) to authorize the State Treasurer to pay the sum of \$58 out of the Treasury to Henry Newton.

On motion of Mr. WHITTEMORE, the Resolution was referred to the Committee on Claims.

Joint Resolution (House) authorizing the State Librarian to purchase certain volumes of State Reports.

On motion of Mr. WHITTEMORE, the Resolution was referred to the Committee on Legislative Library.

Joint Resolution to prohibit incarceration of children, under the age of fourteen, in the State Penitentiary.

On motion of Mr. WHITTEMORE, the Resolution was referred to the Committee on the State Penitentiary.

Report of the Committee on Incorporations on a Bill to renew and amend the charter of the town of Mt. Pleasant.

On motion of Mr. WHITTEMORE, the further consideration of the Report was postponed, and made the Special Order for Saturday, January 7, 1871, at 2 P. M.

Bill to provide for the redemption of certain lands sold under order of Gen. E. R. S. Canby for taxes.

On motion of Mr. WHITTEMORE, the Bill was read by its title and referred to the Committee on Finance.

RESOLUTIONS.

Mr. ROSE introduced the following Resolution :

Resolved, That the Clerk of the Senate be, and he is hereby, authorized to employ such stenographic assistance as may be necessary to report in full the impeachment trial of the Hon. T. O. P. Vernon, Judge of the Seventh Judicial Circuit.

On motion of Mr. ROSE, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

On motion of Mr. SWAILS, the Senate, at 1:50 P. M., took a recess for thirty minutes.

RECESS.

At 2:20 P. M., the PRESIDENT resumed the Chair.

On motion of Mr. BARBER, the Senate took a further recess to 3:30 P. M.

RECESS.

At 3:30 P. M., the PRESIDENT resumed the Chair.

The roll was called; and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Mr. GREENE presented the following communication :

OFFICE OF STATE SUPERINTENDENT OF EDUCATION, S. C.,
COLUMBIA, December 25, 1870.

To the Honorable the President and the Senate

of the State of South Carolina.

GENTLEMEN : I have the honor herewith to submit for your consideration a statement concerning the Contingent Fund of the State Superintendent of Education of the State of South Carolina, for the fiscal year ending October 31, 1870.

J. K. JILLSON,
State Superintendent of Education, South Carolina.

Received as information, and, with the statement, ordered to be printed.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned, with concurrence in Senate amendments, Joint Resolution authorizing and directing the State Auditor and County Commissioners to levy certain taxes.

Ordered, That it be enrolled for ratification.

REPORTS OF COMMITTEES.

Mr. CARDOZO, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed and ready for ratification,

Joint Resolution authorizing and directing the State Auditor and County Commissioners to levy certain taxes.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the above Joint Resolution.

RATIFICATION OF ACTS.

The Speaker of the House of Representatives attended in the Senate, when the following Act and Joint Resolutions were duly ratified :

An Act to vest the title of the State to a lot of land in the village of Orangeburg, of which Deidrich Klepping died seized, in the purchaser or purchasers who shall pay for the premises under a sale made by a decree of the Probate Court of Charleston County, and to direct the application of the proceeds of sale.

Joint Resolution authorizing and directing the State Auditor and County Commissioners to levy certain taxes.

Joint Resolution authorizing the Attorney-General to employ assistance in certain suits now pending, and making an appropriation to pay the same.

On motion of Mr. WHITTEMORE, the Senate adjourned at 4:45 P. M.

THURSDAY, JANUARY 5, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum not answering to their names, the Sergeant-at-Arms was directed to summon absent Senators.

Mr. GREENE moved that the Senate adjourn.

On the question of agreeing to the motion of the Senator from Orangeburg,

Mr. ARNIM called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Barber, Greene, Holcombe, Owens.—5.

Nays—Messrs. Arnim, Cardozo, Corbin, Hayne, Maxwell, Whittemore, Wilson.—7.

So the motion of the Senator from Orangeburg was not agreed to.

On motion of Mr. OWENS, the Senate adjourned at 12:30 P. M.

FRIDAY, JANUARY 6, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Clerk read the Journals of Thursday, December 22, 1870, and of Thursday, January 5, 1871.

Mr. ARNIM asked and obtained leave of absence for the Senator from Chesterfield for six days, on account of sickness in his family.

PETITIONS, &c.

Mr. WHITTEMORE presented the petition of sundry citizen merchants of the town of Timmons ville, praying the passage of a Bill to abolish the lien law of this State, and that it shall take effect on the 1st day of March, 1871; which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading, Bill to alter and renew the charter of the town of Manning.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Select Committee appointed to consider and report upon the message of the House of Representatives in relation to the impeachment of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of the State of South Carolina, reported the following Resolution:

Whereas the House of Representatives, on the 17th day of December last, by five of their members, Messrs. W. J. Whipper, F. J. Moses, Jr., Warren D. Wilkes, Aaron Logan, and Joseph Crews, at the Bar of the Senate, impeached T. O. P. Vernon, Judge of the 7th Judicial Circuit of the State of South Carolina, of high crimes and misdemeanors in office, and informed the Senate that the House of Representatives will, in due time, exhibit particular articles of impeachment against him, and make good the same, and likewise demanded that the Senate take order for the appearance of the said T. O. P. Vernon, to answer to the said impeachment; therefore,

Resolved, That the Senate will take proper order thereon, of which due notice shall be given to the House of Representatives.

Mr. ARNIM moved that the Rule be suspended, and the report considered immediately.

Objection being made, the report, with accompanying Resolution, were ordered for consideration to-morrow.

NOTICES OF BILLS.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to amend an Act entitled "An Act providing for the assessment and taxation of property ;"

A Bill to amend an Act entitled "An Act to define the jurisdiction and duties of County Commissioners."

Mr. HAYNE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to incorporate the Mars Bluff Sons of Benevolence.

Mr. DUNCAN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to amend the charter of the town of Union.

BILLS INTRODUCED.

Mr. CARODOZO, on behalf of the Committee on Charitable Institutions, introduced

A Bill to amend an Act entitled "An Act to establish a State Orphan Asylum."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WIMBUSH, on behalf of the Committee on Incorporations, introduced

A Bill to change the name of the Gap Creek and Middle Saluda Turnpike Company, and to amend and renew the charter thereof.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. SWAILS, pursuant to notice, introduced

Joint Resolution authorizing the County Commissioners of Williamsburg County to levy a special tax.

The Joint Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. CORBIN, pursuant to notice, introduced

A Bill to amend an Act entitled "An Act providing for the general elections and the manner of conducting the same," approved March 1, 1870.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. CORBIN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to incorporate the Charleston Riflemen Club;

A Bill to increase the salaries of the Justices of the Supreme Court;

A Bill to authorize aliens to hold property.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

RESOLUTION.

Mr. WHITTEMORE introduced the following:

Resolved, That the Committee on Education be requested to report as soon as Tuesday, the 10th inst., upon the Report of that Committee relative to the amendments to the Act entitled "An Act to establish and maintain a system of Free Common Schools for the State of South Carolina," which was recommitted to that Committee for their consideration.

Mr. ARNIM moved that the Rule be suspended, and the Resolution considered immediately.

Objection being made, the Resolution was ordered for consideration tomorrow.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Report of the Committee on the Judiciary on a Bill to provide for the protection of persons and property, and the public peace, and to tax real estate for the expense of the same.

The Report and Bill were taken up for consideration.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

The question was taken on agreeing to the amendments recommended in the Report of the Committee, and decided in the affirmative.

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

Bill to renew the charter of the Camden Bridge Company.

On motion of Mr. GREENE, the Bill was read by its title, and referred to the Committee on Incorporations.

Bill to alter and renew the charter of the town of Darlington.

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on Incorporations.

Bill to authorize Circuit Judges to hold Courts in other Circuits than their own.

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on the Judiciary.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M., to-wit:

Bill to amend the charter of the Columbia Bridge Company.

On motion of Mr. WHITTEMORE, the Bill was recommitted to the Committee on Incorporations.

On motion of Mr. ARNIM, the Senate adjourned at 1:10 P. M.

SATURDAY, JANUARY 7, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Rev. J. G. Thompson.

The Clerk read the Journal of yesterday.

PETITIONS, &c.

Mr. SWAILS presented the account of Edward R. Lessesne for making copies of proceedings of Coroner's inquest in case of freedmen destroyed by the burning of the Kingstree Jail in January, 1867; which was referred to the Committee on Claims.

Mr. HAYNE presented sundry accounts of E. R. Stokes, and the Republican Printing Company; which were referred to the Committee on Contingent Accounts and Expenses.

REPORTS OF COMMITTEES.

Mr. GREENE, from the Committee on Finance, to whom was referred a Bill to provide for the redemption of certain lands sold under order of Gen. Ed. R. S. Canby for taxes, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration on Monday next.

Mr. GREENE, from the Committee on Finance, to whom was referred a Joint Resolution authorizing the State Auditor to suspend proceedings in certain cases, reported back the same, with a recommendation that the Resolution do pass.

Ordered for consideration on Monday next.

Mr. GREENE, from the Committee on Finance, to whom was referred

a Joint Resolution instructing the State Auditor to order enforcement of collection of taxes, reported back the same, with a recommendation that the Resolution be laid on the table.

Ordered for consideration on Monday next.

Mr. HAYES, on behalf of the Committee on Claims and Grievances, asked to be discharged from the further consideration of the following petitions referred to that Committee, and that the same be referred to the Committee on Finance; which was so ordered:

Petition of the South Carolina Society;

Petition of Francis Weston, Executor and Trustee of Paul Weston;

Petition of Richard L. North;

Petition of R. B. Miles;

Petition of M. E. Carrere and W. M. Wilson, Executors of the last will and testament of Samuel Wilson, deceased;

Petition of Alexander H. Chisolm;

Petition of Benjamin P. Fraser and P. Weston Fraser, praying the renewal of certain State Stocks and Bonds lost or destroyed during the late war.

NOTICES OF BILLS.

Mr. WILSON gave notice that he will on Monday next, or some subsequent day, ask leave to introduce

A Bill to renew and amend the charter of the town of Anderson.

Mr. WHITEMORE gave notice that he will on Monday next, or some subsequent day, ask leave to introduce

A Bill to regulate the confirmation of all officers appointed by the Governor.

BILLS INTRODUCED.

Mr. WHITEMORE, pursuant to notice, introduced

A Bill to amend an Act entitled "An Act to define the jurisdiction and duties of County Commissioners."

The Bill received its first reading, was ordered for a second reading and consideration on Monday next, and to be printed.

Mr. DUNCAN, pursuant to notice, introduced

A Bill to amend the charter of the town of Union.

The Bill received its first reading, was ordered for a second reading and consideration on Monday next, and to be printed.

Mr. GREENE, on behalf of the Committee on Finance, to whom was referred the petition of John Phillips, surviving executor of John Campbell, praying that certificates or scrip for State stock issued by State Treasurer to the executors of John Campbell, which have been lost and

destroyed, be renewed by the issuing of certificates by the State Treasurer, introduced :

Joint Resolution authorizing the State Treasurer to re-issue to John Phillips, Executor of John Campbell, deceased, certain certificates of State Stock.

The Joint Resolution received its first reading, was ordered for a second reading and consideration on Monday, and to be printed.

Mr. GREENE, on behalf of the Committee on Finance, to whom was referred the petition of Thomas L. Webb, Trustee of McKewn and Martha Johnstone, for renewal of certificate of State Stock lost or destroyed, introduced

Joint Resolution authorizing the State Treasurer to re-issue to Thomas L. Webb, Trustee of McKewn and Martha Johnstone, a certain certificate of State Stock.

The Joint Resolution received its first reading, was ordered for a second reading and consideration on Monday, and to be printed.

Mr. BIEMAN asked and obtained the unanimous consent of the Senate to introduce

Joint Resolution authorizing the County Commissioners of Oconee County to levy a special tax.

The Joint Resolution received its first reading, was ordered for a second reading and consideration on Monday, and to be printed.

RESOLUTIONS.

Mr. ARNIM introduced the following:

Whereas Professors LaBorde and Reynolds, and Librarian C. Bruce Walker, and Professor Rivers remained faithful to the duties of their respective positions in the State University during a certain period of the late war, when the exercises of the University were suspended, and there were no provisions made for their compensation for the services then rendered, and by so doing they contributed greatly towards preserving the State property from sharing the general ruin to which the City of Columbia was subjected; and, whereas, the above named officers never received any compensation for the time mentioned in their petition, although the Board of Trustees invited and directed them to remain and perform their respective duties with the expectation that the said officers would receive their usual compensation therefor; therefore,

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same,

SECTION 1. That the claims of Professors M. LaBorde, three thousand

one hundred and twenty-five dollars, J. L. Reynolds, three thousand one hundred and twenty-five dollars, W. J. Rivers, two thousand nine hundred dollars, and for the Librarian, C. Bruce Walker, five hundred dollars, for services rendered at the University of South Carolina, are just and reasonable, and ought to be paid; and that the Committee on Ways and Means of the House of Representatives be, and they hereby are, instructed to include the same in the general appropriation Bill.

Ordered for consideration on Monday next.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders.

Resolution (of Select Committee) to take order in Senate on notice of House of Representatives, of impeachment of T. O. P. Vernon, Judge of Seventh Judicial Circuit.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Bill to amend an Act entitled "An Act to establish a State Orphan Asylum."

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Joint Resolution authorizing the County Commissioners of Williamsburg County to levy a special tax.

The Joint Resolution received its second reading, and was considered as in Committee of the Whole.

Mr. BIEMAN moved to amend by the addition of the following:

"And that the County Commissioners of Oconee County be authorized to levy a special tax of one mill in addition to the amount already authorized by law for County purposes."

After debate, participated in by Messrs. Swails, Arnim, Nash, Hayne, The amendment of the Senator from Oconee was withdrawn.

The being no further amendments,

Ordered, That the Joint Resolution be engrossed for a third reading.

Bill to change the name of the Gap Creek and Middle Saluda Turnpike Company, and amend and renew the charter thereof.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Bill to authorize aliens to hold property.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Bill to incorporate the Charleston Riflemen Club.

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on Incorporations.

Bill to increase the salaries of the Justices of the Supreme Court.

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on Finance.

Bill to amend an Act entitled "An Act providing for the General Elections, and the manner of conducting the same," approved March 1, 1870.

On motion of Mr. WIMBUSH, the Bill was read by its title, and referred to the Committee on Privileges and Elections.

Resolution to request the Committee on Education to report on Bill to amend an Act to establish and maintain a system of free common schools for South Carolina.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

EXECUTIVE SESSION.

At 12:50 P. M., the Senate went into Executive Session.

After the disposal of Executive Business, the Senate returned to open session.

On motion of Mr. SWAILS, the Senate adjourned at 1:15 P. M.

MONDAY, JANUARY 9, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The Roll was called, and, a quorum answering to their names, the President announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

Prayer by the Chaplain.

PETITIONS, &c.

The President laid before the Senate

Petition of Samuel Cochran, Thomas Cochran, Elizabeth Cochran, Juliana Irvine, Isabella Irvine, and Henrietta Irvine, grandchildren of

Samuel and Juliana Izard, deceased, praying that the proceeds of the sale of a farm, near Charleston, now in the hands of Benjamin C. Pressley, escheated to the State, be released from said escheat, and that the said Benjamin C Pressley may be authorized to pay to the petitioners the money which he may collect of the proceeds of the farm, in the proportion directed in the will of Juliana Izard; which was referred to the Committee on the Judiciary.

Mr. MAXWELL presented the petition of the County Commissioners of Marlboro County, praying authority to levy a tax of five mills on the real and personal property of said County, to enable them to meet the indebtedness and current expenses for the present fiscal year, of the County; which was referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills reported as duly and correctly engrossed, and ready for a third reading,

Bill to provide for the protection of persons and property and the public peace;

Bill to empower the State to maintain the beneficiaries in the Lunatic Asylum, instead of the several Counties;

Bill to authorize aliens to hold property;

Bill to amend an Act entitled "An Act to establish a State Orphan Asylum;"

Bill to change the name of the Gap Creek and Middle Saluda Turnpike Company, and to amend and renew the charter thereof;

Joint Resolution authorizing the County Commissioners of Williamsburg County to levy a special tax.

The above Bills and Joint Resolution received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. HAYNE, on the part of the Joint Committee appointed at the regular session of the General Assembly of 1869-'70, by virtue of Concurrent Resolution of February 28, 1870, and in accordance with the Act of August, 1868, entitled "An Act to regulate the keeping and disbursing funds by certain officers," to examine the books, vouchers, &c., of the State Treasurer and Comptroller-General, submitted the Report of that Committee; which was received as information, and ordered to be printed.

BILLS INTRODUCED.

Mr. CORBIN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to supply the deficiency in the appropriation for the Charleston City Schools for the year 1870.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to amend an Act entitled "An Act to regulate the formation of corporations," approved December 10, 1869.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to regulate the tenure of certain civil offices ;

A Bill to regulate the granting of licenses to retailers of spirituous liquors

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. FOSTER asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Joint Resolution authorizing the County Commissioners of Spartanburg County to levy a special tax.

The Joint Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. WILSON gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to authorize the formation of, and to incorporate the Savannah Valley Railroad Company.

Mr. CARDOZO gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to declare the corporate privileges of the Camden Bridge Company at an end, and vest said privileges in the County of Kershaw.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to incorporate the Town of Florence ;

A Bill to dispose of the lands forfeited to the State, and create a school fund from the sales of the same.

Mr. HAYNE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

Joint Resolution directing the State Auditor and County Commissioners to levy a special tax for the payment of all expenses incurred for the suppression of riots and the preservation of peace, in any County of the State ;

A Bill transferring the Bureau of Agricultural Statistics to the Land Commissioner.

Mr. CORBIN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to repeal an Act entitled "An Act to provide for the appointment of a Land Commissioner, and to define his powers and duties, and for other purposes therein mentioned."

RESOLUTIONS.

Mr. CORBIN introduced the following Resolution :

Resolved, That the Committee on the Judiciary be instructed to inquire, and report to the Senate, with the least possible delay,

1. Why the decisions of the Supreme Court have not been published, as required by law.

2. What legislation, if any, is necessary, to secure the prompt publication of said decisions.

3. That, in making the inquiry herein provided for, the Committee be authorized to send for persons and papers.

On motion of Mr. CORBIN, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Mr. ARNIM introduced the following Resolution :

Whereas, the printed Reports of Niles G. Parker, Treasurer of South Carolina, and J. L. Neagle, Comptroller-General, do not correspond ; therefore,

Be it resolved, That a Committee of two Senators be appointed by the Chair to compare the printed Report with the manuscripts.

Mr. ARNIM moved that the Rule be suspended, and the Resolution considered immediately.

Objection being made, the Resolution was ordered for consideration to-morrow.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar

Report of Committee on Finance on Joint Resolution authorizing the State Auditor to suspend proceedings in certain cases.

The Report was read, and the Resolution taken up for a second reading.

The Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That the Resolution be engrossed for a third reading.

Report of Committee on Finance on Joint Resolution instructing the State Auditor to order enforcement of collection of taxes.

The Report was read, and taken up for consideration.

After debate, participated in by Messrs. Corbin, Whittemore, Swails, Hayne, Nash,

The question was taken on agreeing to the Report, and decided in the affirmative.

So the Resolution was ordered to lie on the table, and a message sent to the House of Representatives accordingly.

Report of the Committee on Finance on a Bill to provide for the redemption of certain lands sold under the order of General Ed. R. S. Canby.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Bill to amend an Act entitled "An Act to define the jurisdiction and duties of the County Commissioners."

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on County Offices and Officers.

Joint Resolution authorizing the State Treasurer to re-issue to John Phillips, Executor of John Campbell, deceased, certain certificates of State Stocks.

The Joint Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That the Resolution be engrossed for a third reading.

Joint Resolution authorizing the State Treasurer to re-issue to Thomas L. Webb, Trustee of McKewn and Martha Johnstone, a certain certificate of State Stocks.

The Joint Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That the Resolution be engrossed for a third reading.

Joint Resolution to authorize an appropriation to pay the claims of Professors M. LaBorde, J. L. Reynolds, W. J. Rivers, and C. Bruce Walker.

The Joint Resolution received its second reading, and was considered as in Committee of the Whole.

Mr. ARNIM moved that the Joint Resolution be referred to the Committee on Claims.

Mr. HAYNE moved, as an amendment, that the Joint Resolution be referred to the Committee on Finance.

Mr. NASH moved that the further consideration of the Joint Resolution be indefinitely postponed.

Pending debate, participated in by Messrs. Arnim, Swails, Rose, Corbin, Whittemore, Nash,

The PRESIDENT announced the hour arrived for the consideration of the

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1:30 P. M., to wit:

Report of Committee on Finance on the petition of the Professors and Librarian of the South Carolina University.

On motion of Mr. SWAILS, further proceedings under the Special Order were postponed until after the disposal of the matter previously under consideration.

GENERAL ORDERS.

The Senate resumed the consideration of

Joint Resolution to authorize an appropriation to pay the claims of Professors M. LaBorde, J. L. Reynolds, W. J. Rivers and C. Bruce Walker.

Hon. C. W. MONTGOMERY, President *pro tem.*, took the Chair.

After further debate,

On the question of agreeing to the motion of the Senator from Richland, that the further consideration of the Joint Resolution be indefinitely postponed,

Mr. SWAILS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Barber, Bieman, Burroughs, Cardozo, Clinton, Corbin, Duncan, Foster, Hayes, Hayne, Holcombe, Johnston, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson.—21.

Mr. Arnim voted in the negative.

So the motion of the Senator from Richland was agreed to, and the further consideration of the Resolution indefinitely postponed.

On motion of Mr. WHITTEMORE, the vote whereby the further consideration of the above Joint Resolution was indefinitely postponed was reconsidered, and the motion for reconsideration ordered to lie on the table.

JOURNAL OF THE SENATE,
SPECIAL ORDER.

The Senate resumed the consideration of the Special Order for this day at 1:30 P. M., to wit:

Report of Committee on Finance on the petition of the Professors and Librarian of the South Carolina University.

The report was read, and taken up for consideration.

The question was taken on agreeing to the Report, decided in the affirmative, and the prayer of the petitioners rejected.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

Bill to amend the charter of the town of Union.

On motion of Mr. HAYNE, the Bill was read by its title, and referred to the Committee on Incorporations.

Joint Resolution authorizing the County Commissioners of Oconee County to levy a special tax.

The Joint Resolution received its second reading, and was considered as in Committee of the Whole.

On motion of Mr. SWAILS, the Resolution was amended by the addition of the following: "the same to be used exclusively to paying the indebtedness of the County."

After debate, participated in by Messrs. Corbin, Bieman, Whittemore, There being no further amendments,

Ordered, That the Resolution be engrossed for a third reading.

SPECIAL ORDER

The Senate proceeded to the consideration of the Special Order for this day, at 2 P. M., to wit:

Report of the Committee on Incorporations on a Bill to renew and amend the charter of the town of Mt. Pleasant.

On motion of Mr. HAYNE, the further consideration of the Special Order was postponed, and made the Special Order for to-morrow at 2 P. M.

On motion of Mr. HAYNE, at 2 P. M., the Senate adjourned.

TUESDAY, JANUARY 10, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by Hon. C. W. MONTGOMERY, President *pro tem*.

The roll was called, and, a quorum answering to their names, the **PRESIDENT** announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Clerk read the Journal of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

A Bill to incorporate the Moses Guards of Ridgeway, Fairfield County, South Carolina ;

A Bill to recharter the Pumpkintown Turnpike Road, in Pickens County ;

A Bill to incorporate the Nashville Independent Blues Charitable Association.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

The House also sent to the Senate

Concurrent Resolution for the appointment of a Joint Committee to wait upon the State Treasurer and obtain information of the disposition of the appropriation of \$135,000 for the payment of Legislative expenses.

Mr. HAYNE moved that the Resolution be referred to the Committee on Finance.

The motion of the Senator from Marion was subsequently withdrawn.

The question was taken on concurring in the Resolution, and decided in the affirmative.

Ordered, That the Resolution be returned to the House of Representatives.

The House also sent to the Senate

Concurrent Resolution requirizng the County Auditor of Newberry County to render a certain Report.

The Resolution was concurred in, and ordered to be returned to the House of Representatives.

Concurrent Resolution requesting the Secretary of the Advisory Board of Land Commission to make a report.

Mr HAYNE moved that the Resolution be referred to the Special Joint Committee appointed to investigate the affairs of the Land Commission.

After debate, participated in by Messrs. Whittemore, Hayne, Arnim,

Mr. ARNIM moved that the Resolution be referred to the Committee on Public Lands, with instruction to report without unnecessary delay.

After further debate, participated in by Messrs. Swails, Maxwell, Whittemore, Arnim, Leslie, Corbin,

Pending debate,

Hon. A. J. RANSIER, President, took the Chair.

After further debate, participated in by Messrs. Corbin, Leslie, Maxwell, Whittemore,

Mr. MAXWELL moved that the Resolution be laid on the table.

On the question of agreeing to the motion of the Senator from Marlboro,

Mr. CORBIN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Barber, Cardozo, Clinton, Duncan, Hayes, Hayne, Johnston, Leslie, Maxwell, Owens, Rose, Smalls, Swails, Whittemore, Wimbush.—16.

Nays—Messrs. Arnim, Bieman, Burroughs, Corbin, Dickson, Duvall, Foster, Holcombe, Nash, Wilson.—10.

So the Resolution was ordered to lie on the table, and a message sent to the House of Representatives accordingly.

The House also sent to the Senate,

Concurrent Resolution requiring a Report from the Land Commissioner and the Advisory Board.

After debate, participated in by Messrs. Hayne, Leslie, Whittemore, Duvall, Corbin, Maxwell, Hayes, Swails,

Mr. LESLIE moved that the Resolution be ordered to lie on the table.

On the question of agreeing to the motion of the Senator from Barnwell,

Mr. LESLIE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Barber, Clinton, Duncan, Hayes, Hayne, Leslie, Maxwell, Montgomery, Owens, Rose, Smalls, Swails, Whittemore, Wimbush.—14.

Nays—Messrs. Arnim, Bieman, Burroughs, Cardozo, Corbin, Dickson, Duvall, Holcombe, Johnston, Nash, Wilson.—11.

So the Resolution was ordered to lie on the table, and a message sent to the House of Representatives accordingly.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Sergeant-at-Arms announced a message from the House of Representatives.

Mr. A. O. Jones, Clerk of the House of Representatives, appeared and delivered the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., January 9, 1871.

MR. PRESIDENT: I am directed to inform the Senate that the House

of Representatives has appointed Honorables W. J. Whipper, F. J. Moses, Jr., Warren D. Wilkes, Aaron Logan and Joseph Crews managers to conduct the impeachment against T. O. P. Vernon, Circuit Judge of the State of South Carolina, in and for the Seventh Circuit thereof, and has directed said managers to carry to the Senate the articles of impeachment, to be exhibited in maintainance of their impeachment against the said T. O. P. Vernon, as soon as the same have been agreed upon by the House.

A. O. JONES,
Clerk of the House of Representatives.

The House also sent to the Senate

Concurrent Resolution requesting His Excellency the Governor to furnish certain information relative to riotous proceedings in certain Counties of the State.

Mr. JOHNSTON moved that the Resolution be made the Special Order for to-morrow, at 1 P. M.

The motion of the Senator from Sumter was subsequently withdrawn.

On motion of Mr. HAYNE, the Resolution was concurred in, and ordered to be sent to the House of Representatives.

The House also sent to the Senate

Report of Medical Committee of the House of Representatives on accounts of Dr. F. Peyre Porcher, which were referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred the following Bills, reported back the same, with the recommendation that they do not pass :

Bill to define the law in relation to certain easements ;

Bill to repeal so much of the Act of 1839 as prohibits the Clerks of the Courts of the State from acting as Attorneys and Solicitors in the Courts of the State.

A Bill to authorize the Governor to appoint a Sheriff in the County of Greenville, to fill the unexpired term of A. B. Vickers, deceased.

A Bill to extend the jurisdiction of the Probate Judges of this State.
Ordered for consideration to-morrow.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred the following Bills, reported back the same, with the recommendation that the Bills do pass :

A Bill supplementary to an Act entitled " An Act to authorize administrators, executors and other fiduciaries to sell certain evidences of indebtedness at public sale, and to compromise in certain cases ;"

A Bill to amend an Act entitled "An Act providing for the General Elections, and the manner of conducting the same," approved March 1. 1870 ;

A Bill to authorize Circuit Judges to hold Courts in other Circuits than their own ;

A Bill to regulate the appointment, jurisdiction and duties of Notaries Public.

Ordered for consideration to-morrow.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred the petition of the County Commissioners of Beaufort, praying that they be relieved from payment of the stenographer for the Courts, reported back the same, with a recommendation that the prayer of the petitioners be not granted.

Ordered for consideration to-morrow.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Joint Resolution to allow Hon. James L Orr compensation for extra services, reported back the same, with a recommendation that the Joint Resolution do pass.

Ordered for consideration to-morrow, and to be printed.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading :

A Bill to provide for the redemption of certain lands sold under the order of General Ed. R. S. Canby for taxes ;

Joint Resolution authorizing the State Treasurer to re-issue to John Phillips, executor of John Campbell, deceased, certain certificates of State stock ;

Joint Resolution authorizing the State Treasurer to re-issne to Thos. L. Webb, trustee of McKewn and Martha Johnstone, a certain certificate of State stock.

Joint Resolution authorizing the County Commissioners of Oconee County to levy a special tax.

The above Bill and Joint Resolutions received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Joint Resolution authorizing the State Auditor to suspend proceedings in certain cases.

The Joint Resolution received its third reading, passed, and was ordered to be enrolled for ratification.

BILLS INTRODUCED.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred the petition of Samuel Cochran, and others, introduced

Joint Resolution for the relief of Samuel Cochran, Thomas Cochran, Elizabeth Cochran, Juliana Irvine, Isabella Irvine and Henrietta Irvine.

The Joint Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. NASH gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to repeal an Act entitled "An Act to establish a Bureau of Agricultural Statistics for the encouragement of industrial enterprises, and to invite capital to South Carolina for the development of the resources of the State."

Mr. JOHNSTON gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

Joint Resolution for the relief of persons driven from their homes by outrages committed in several of the upper Counties of the State.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 2 P.M., to-wit:

Report of the Committee on Incorporations on a Bill to renew and amend the charter of the town of Mt. Pleasant.

On motion of Mr. HAYNE, the further consideration of the Special Order was postponed, and made the Special Order for to-morrow, at 2 P. M.

On motion of Mr. WHITTEMORE, at 3 P. M., the Senate adjourned.

WEDNESDAY, JANUARY 11, 1871.

Pursuant to adjournment the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Clerk read the Journal of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

Concurrent Resolution requesting and instructing the United States Senators and Representatives in the Congress of the United States from South Carolina to oppose the passage of a general amnesty bill by the United States Congress.

Mr. CORBIN moved that the further consideration of the above Resolution be indefinitely postponed.

Mr. SMALLS moved that the motion of the Senator from Charleston be laid on the table.

The motion of the Senator from Beaufort was not seconded.

After debate, participated in by Messrs. Corbin, Nash, Arnim, Whittemore,

The question was taken on agreeing to the motion of the Senator from Charleston, and decided in the affirmative.

So the further consideration of the Resolution was indefinitely postponed, and a message sent to the House of Representatives accordingly.

On motion of Mr. WHITTEMORE, the vote whereby the Senate indefinitely postponed the further consideration of the above Resolution was reconsidered, and the motion for reconsideration was ordered to lie on the table.

PETITIONS, &c.

The PRESIDENT laid before the Senate the petition of sundry merchants, and other citizens of the City of Charleston, praying for the passage of an Act creating the office of Assistant Flour Inspector, for that City; which was referred to the Committee on the Judiciary.

Mr. NASH presented the affidavit of John Dooly, setting forth claims endorsed and attested by G. T. Berg, Architect, against the State of South Carolina; which was referred to the Committee on Claims.

Mr. JOHNSTON presented the accounts against the State Librarian, for binding and lettering sundry volumes of Statutes of the State of South Carolina; which were referred to the Committee on Contingent Accounts and Expenses.

The PRESIDENT laid before the Senate the petition of the Mechanics' Union, No. 1, of Charleston, South Carolina, praying for an Act of incorporation; which was referred to the Committee on Incorporations.

REPORTS OF COMMITTEES.

Mr. NASH, from the Committee on Contingent Accounts and Expenses, to whom was referred the accounts of E. R. Stokes, Hopson & Sutphen,

Republican Printing Company, and others, against the Senate, reported back the same, with a recommendation that they be paid.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Select Committee appointed to consider and report upon the Message of the House of Representatives, in relation to the impeachment of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina, reported the following Rules of Procedure and Practice in the Senate, when sitting in the trial of impeachment :

I. Whenever the Senate shall receive notice from the House of Representatives that Managers are appointed on their part to conduct an impeachment against any person, and are directed to carry articles of impeachment to the Senate, the Clerk of the Senate shall immediately inform the House of Representatives that the Senate is ready to receive the Managers for the purpose of exhibiting such articles of impeachment, agreeably to said notice.

II. When the Managers of an impeachment shall be introduced at the bar of the Senate, and shall signify that they are ready to exhibit articles of impeachment against any person, the presiding officer of the Senate shall direct the Sergeant-at-Arms to make proclamation ; who shall, after making proclamation, repeat these words, viz: " All persons are commanded to keep silence, on pain of imprisonment, while the House of Representatives is exhibiting to the Senate of South Carolina articles of impeachment against —————." After which the articles shall be exhibited, and then the presiding officer of the Senate shall inform the Managers that the Senate will take proper order on the subject of the impeachment, of which due notice shall be given to the House of Representatives.

III. Upon such articles being presented to the Senate, the Senate shall, at 1 o'clock afternoon of the day (Sunday excepted) following such presentation, or sooner, if so ordered by the Senate, proceed to the consideration of such articles ; and shall continue in session, from day to day, (Sunday excepted), after the trial shall commence (unless otherwise ordered by the Senate) until final judgment shall be rendered, and so much longer as may, in its judgment, be needful. Before proceeding to the consideration of the articles of impeachment, the presiding officer of the Senate shall administer the oath hereinafter provided to the members of the Senate then present, and to the other members of the Senate as they shall appear, whose duty it shall be to take the same.

IV. When the Governor of the State shall be impeached, the Chief Justice of the Supreme Court, or the senior Judge of the State, shall preside, with a casting vote in all preliminary questions. When the Lieutenant-Governor shall be impeached, the President *pro tempore* of the

Senate shall preside, and in all other cases of impeachment, the Lieutenant-Governor, or the President of the Senate, shall preside; and in a case requiring the Chief Justice, or the senior Judge, to preside, notice shall be given to him by the presiding officer of the Senate, of the time and place fixed for the consideration of the articles of impeachment, as aforesaid, with a request to attend; and the Chief Justice, or the senior Judge, shall preside over the Senate during the consideration of said articles, and upon the trial of the person impeached therein.

V. The presiding officer shall have power to make and issue, through the Clerk of the Senate, all orders, mandates, writs and precepts authorized by these Rules, or by the Senate, and to make and enforce such other regulations and orders in the premises, as the Senate may authorize or provide.

VI. The Senate shall have power to compel the attendance of witnesses, to enforce obedience to its orders, mandates, writs, precepts and judgments, to preserve order, and to punish, in a summary way, contempts of, and disobedience to, its authority, orders, mandates, writs, precepts or judgments, and to make all lawful orders, rules and regulations which it may deem essential or conducive to the ends of justice. And the Sergeant-at-Arms, under the direction of the Senate, may employ such aid and assistance as may be necessary to enforce, execute and carry into effect, the lawful orders, mandates, writs and precepts of the Senate.

VII. The presiding officer of the Senate shall direct all necessary preparations in the Senate Chamber, and the presiding officer of the trial shall direct all the forms of proceeding while the Senate are sitting for the purpose of trying an impeachment; and all forms, during the trial, not otherwise specially provided for, and the presiding officer of the trial may rule all questions of evidence, and incidental questions, which ruling shall stand as the judgment of the Senate, unless some member of the Senate shall ask that a formal vote be taken thereon; in which case it shall be submitted to the Senate for decision; or he may, at his option, in the first instance, submit any such question to a vote of the members of the Senate.

VIII. Upon the presentation of Articles of Impeachment and the organization of the Senate, as hereinbefore provided, a writ of summons shall issue to the accused, reciting said articles, and notifying him to appear before the Senate, upon a day, and at a place to be fixed by the Senate, and named in such writ, and file his answer to said articles of impeachment, and to stand to and abide the orders and judgments of the Senate thereon; which writs shall be served by such officer or person as shall be named in the precept thereof, such number of days prior to the day fixed for such appearance as shall be named in such precept, either by the delivery of an attested copy thereof to the person accused, or, if

that cannot conveniently be done, by leaving such copy at the last known place of abode of such person, or at his usual place of business, in some conspicuous place therein; or, if such service shall be, in the judgment of the Senate, impracticable, notice to the accused to appear shall be given in such other manner, by publication or otherwise, as shall be deemed just; and if the writ aforesaid shall fail of service in the manner aforesaid, the proceedings shall not thereby abate, but further service may be made in such manner as the Senate shall direct. If the accused, after service, shall fail to appear, either in person or by attorney, on the day so fixed therefor, as aforesaid, or, appearing, shall fail to file his answer to such articles of impeachment, the trial shall proceed, nevertheless, as upon a plea of not guilty. If a plea of guilty shall be entered, judgment may be entered thereon, without further proceedings.

IX. At twelve o'clock and thirty minutes, afternoon of the day appointed for the return of the summons against the person impeached, the Legislative and Executive business of the Senate shall be suspended, and the Clerk of the Senate shall administer an oath to the returning officer in the form following, viz: "I, _____, do solemnly swear that the return made by me upon the process issued on the _____ day of _____, by the Senate of South Carolina, against _____, is truly made, and that I have performed such service as therein described. So help me God." Which oath shall be entered at large on the records.

X. The person impeached shall then be called to appear and answer the articles of impeachment against him. If he appear, or any person for him, the appearance shall be recorded, stating particularly if by himself or by agent or by attorney, naming the person appearing, and the capacity in which he appears. If he do not appear, either personally or by agent or by attorney, the same shall be recorded.

XI. At twelve o'clock and thirty minutes, afternoon of the day appointed for the trial of the impeachment, the Legislative and Executive business of the Senate shall be suspended, and the Clerk shall give notice to the House of Representatives that the Senate is ready to proceed upon the impeachment of _____, in the Senate Chamber, which Chamber is prepared with accommodations for the reception of the House of Representatives.

XII. The hour of assembling on the day at which the Senate shall sit upon the trial of an impeachment, shall be (unless otherwise ordered) twelve o'clock M., and when the hour for such sitting shall arrive, the presiding officer of the Senate shall so announce; and thereupon the presiding officer upon such trial shall cause proclamation to be made, and the business of the trial shall proceed. The adjournment of the Senate sitting in said trial shall not operate as an adjournment of the Senate; but

on such adjournment the Senate shall resume the consideration of the legislative and executive business.

XIII. The Clerk of the Senate shall record the proceedings in cases of impeachment as in the case of legislative proceedings, and the same shall be reported in the same manner as the legislative proceedings of the Senate.

XIV. Counsel for the parties shall be admitted to appear, and be heard upon an impeachment.

XV. All motions made by the parties, or their counsel, shall be addressed to the presiding officer, and if he, or any Senator, shall require it, they shall be committed to writing and read at the Clerk's table.

XVI. Witnesses shall be examined by one person, on behalf of the party producing them, and then cross-examined by one person on the other side.

XVII. If a Senator is called as a witness he shall be sworn and give his testimony standing in his place.

XVIII. If a Senator wishes a question put to a witness, or to offer a motion or order, (except a motion to adjourn), it shall be reduced to writing, and put by the presiding officer.

XIX. At all times, while the Senate is sitting upon the trial of an impeachment, the doors of the Senate shall be kept open, unless the Senate shall direct the doors to be closed while deliberating upon its decisions.

XX. All preliminary or interlocutory questions, and all motions, shall be argued for not exceeding one hour on each side, unless the Senate shall, by order, extend the time.

XXI. The case, on each side, shall be opened by one person. The final argument on the merits may be made by two persons, on each side, (unless otherwise ordered by the Senate, upon application for that purpose), and the argument shall be opened and closed on the part of the House of Representatives.

XXII. On the final question, whether the impeachment is sustained, the yeas and nays shall be taken on each article of impeachment separately; and if the impeachment shall not, upon any of the articles presented, be sustained by the votes of two-thirds of the members present, a judgment of acquittal shall be entered; but if the person accused in such articles of impeachment shall be convicted upon any of said articles by the votes of two-thirds of the members present, the Senate shall proceed to pronounce judgment; and a certified copy of such judgment shall be deposited in the office of the Secretary of State.

XXIII. All orders and decisions shall be made and had by yeas and nays, which shall be entered upon the record, and without debate; subject, however, to the operation of Rule VII, except when the doors shall

be closed for deliberation; and, in that case, no member shall speak more than once on one question, and for not more than ten minutes on any interlocutory question, and for not more than fifteen minutes on the final question, unless by consent of the Senate, to be had without debate; but a motion to adjourn may be decided without the yeas and nays, unless they be demanded by one-fifth of the members present.

XXIV. Witnesses shall be sworn in the following form, namely: "You, ———, do swear (or affirm, as the case may be,) that the evidence you shall give in the case now pending between the State of South Carolina and ———, shall be the truth, the whole truth, and nothing but the truth: So help you God." Which oath shall be administered by the Clerk, or any other duly authorized person.

FORM OF SUBPŒNA TO BE ISSUED

On the application of the Managers of the impeachment, or of the party impeached, or of his counsel.

To ———, *greeting*:

You and each of you are commanded to appear before the Senate of South Carolina, on the ——— day of ———, at the Senate Chamber, in the city of Columbia, then and there to testify your knowledge of the case which is before the Senate, in which the House of Representatives have impeached ———. Fail not.

Witness, ———, and presiding officer of the Senate, at the city of Columbia, this ——— day of ———, in the year of our Lord ———, and the independence of the United States the ———.

FORM OF DIRECTION FOR THE SERVICE OF SAID SUBPŒNA.

The Senate of the State of South Carolina, greeting:

You are hereby commanded to serve and return the within subpœna according to law.

Dated at Columbia, this ——— day of ———, in the year of our Lord ———, and of the independence of the United States the ———

Clerk of the Senate.

FORM OF OATH

To be administered to the members of the Senate, sitting in the trial of impeachment.

I solemnly swear (or affirm, as the case may be) that in all things appertaining to the trial of the impeachment of ———, now pending, I will do impartial justice, according to the Constitution and the laws: So help me God.

FORM OF SUMMONS

To be issued and served upon the person impeached.

THE STATE OF SOUTH CAROLINA, ss.

The Senate of South Carolina to ————, greeting :

Whereas, the House of Representatives of the State of South Carolina did, on the ——— day of ———, exhibit to the Senate articles of impeachment against you, the said ———, in the words following :

[Here insert the Articles.]

And demand that you, the said ———, are therefore hereby summoned to be and appear before the Senate of South Carolina, at their Chamber, in the city of Columbia, on the ——— day of ———, at twelve o'clock and thirty minutes, afternoon, then and there to answer to said articles of impeachment, and then and there to abide by, obey, and perform such orders, directions and judgments as the Senate of South Carolina shall make in the premises, according to the Constitution and laws of the State. Hereof you are not to fail.

Witness, ———, and presiding officer of the said Senate, at the city of Columbia, this ——— day of ———, in the year of our Lord ——— and of the independence of the United States the ———.

FORM OF PRECEPT TO BE ENDORSED ON SAID WRIT OF SUMMONS.

THE STATE OF SOUTH CAROLINA, ss.

The Senate of South Carolina to ————, greeting :

You are commanded to deliver to and leave with ———, if conveniently to be found, if not, to leave at his usual place of abode, or at his usual place of business, in some conspicuous place, a true and attested copy of the written writ of summons, together with a true copy of this precept; and in whichsoever way you perform the service, let it be done at least ——— days before the appearance day mentioned in said writ of summons.

Fail not, and make return of this writ of summons and precept, with your proceedings thereon endorsed, on or before the appearance day mentioned in the said writ of summons.

Witness ———, and presiding officer of the Senate, at the city of Columbia, this ——— day of ———, in the year of our Lord ———, and of the independence of the United States the ———.

All process shall be served by the Sergeant-at-Arms of the Senate, unless otherwise ordered by the Senate

XXV. If the Senate shall at any time fail to sit for the consideration of articles of impeachment on the day or hour fixed therefor, the Senate may, by an order to be adopted without debate, fix a day and hour for resuming such consideration.

Ordered for consideration to-morrow, and to be printed.

Mr. WHITTEMORE, from the Select Committee on Impeachment, also reported the following Order :

Ordered, That, during the trial of the impeachment now pending, no persons, besides those who have the privilege of the floor, and Clerks of the Standing Committees of the Senate, shall be admitted to that portion of the Capitol set apart for the use of the Senate and its officers, except upon tickets issued by the Sergeant-at-Arms. The number of tickets shall not exceed eight hundred. Tickets shall be numbered and dated, and be good only for the day on which they are dated.

Second. A portion of the gallery shall be set apart for the Executive and Judicial officers of the State, and be exclusively appropriated to that purpose.

Third. Five tickets shall be issued to each Senator; five tickets, each, to the Chief Justice of the Supreme Court and the Speaker of the House of Representatives; three tickets to each member of the House of Representatives; three tickets, each, to the Associate Justices of the Supreme Court and the Judges of the Circuit Courts and the United States District Court; three tickets, each, to the Secretary of State, Comptroller General, State Treasurer, Attorney General, Adjutant General, Superintendent of Education, and State Auditor; forty tickets to the private Secretary of the Governor, for the use of the Governor; and thirty-five tickets shall be issued by the presiding officer of the Senate to the reporters of the press, and twenty tickets for his own use. The residue of the tickets to be issued shall be distributed among the members of the Senate, in proportion to the representation of their respective Counties in the House of Representatives, and the seats now occupied by the Senators shall be reserved for them.

Ordered for consideration to-morrow, and to be printed.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to alter and amend the charter of the town of Darlington, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to incorporate the Hedges Light Guard, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification,

Joint Resolution authoring the State Auditor to suspend proceedings in certain cases;

An Act to provide for a salary for the Lieutenant-Governor of the State of South Carolina.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the above Act and Joint Resolution.

BILLS INTRODUCED.

Mr. HAYNE, pursuant to notice, introduced

A Bill to confer and impose upon the Land Commissioner the powers and duties of the Commissioner of Agricultural Statistics.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to dispose of the lands forfeited to the State, and to create a school fund from the sales of the same.

A Bill to further amend an Act entitled "An Act providing for the assessment and taxation of property."

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. CORBIN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to amend an Act entitled "An Act establishing a line beyond which the Wharves shall not be extended in the city of Charleston, and for other purposes," ratified 21st December, A. D 1836

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WILSON, pursuant to notice, introduced

A Bill to authorize the formation of and to incorporate the Savannah Valley Railroad Company.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. NASH, pursuant to notice, introduced

A Bill to repeal an Act entitled "An Act to establish a Bureau of Agricultural Statistics for the encouragement of industrial enterprises, and to invite capital to South Carolina for the development of the resources of the State."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. CARDOZO, pursuant to notice, introduced

A Bill to declare the corporate privileges of the Camden Bridge Company at an end, and vest said privileges in the County of Kershaw.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. ARNIM, pursuant to notice, introduced

A Bill to amend an Act entitled "An Act to provide for the construction and keeping in repair of public highways and roads."

Mr. DUVALL asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Joint Resolution authorizing the County Commissioners of Chesterfield County to levy a special tax.

The Joint Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill for the maintenance and support of illegitimate children.

Mr. NASH gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to repeal so much of an Act entitled "An Act to organize and govern the militia of the State of South Carolina," as provides for the appointment and pay of an Assistant Adjutant General.

Also, Bill to amend the charter of the Columbia Building and Loan Association.

Mr. JOHNSTON gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to provide for the establishment of a house of correction.

RESOLUTIONS.

Mr. CORBIN introduced the following Resolution:

Resolved, That the Land Commissioner be requested to inform the Senate what lands have been purchased by himself and his predecessor in office, on behalf of the State, and what lands are now at his disposal.

2. That, if able to do so, the Land Commissioner will also inform the Senate the price paid for said lands.

Ordered for consideration to-morrow.

Mr. NASH introduced the following Concurrent Resolution:

Whereas, it appears by the Reports of the Treasurer and Comptroller-General, for the fiscal year ending October 31, 1870, that the Committee of Investigation, appointed at the regular session of 1868-'69, to investigate the electoral affairs in the Third Congressional District of this State, have drawn the following amounts, at the following times:

November, 1869.....	\$ 1,226 45
December, 1869.....	2,401 20

March, 1870.....	7,456 00
April, 1870.....	2,500 00
May, 1870.....	1,500 00
September, 1870.....	2,500 00

Total \$17,583 65

Therefore, be it resolved by the Senate, the House concurring, That a Special Committee of two on the part of the Senate, and ——— on the part of the House, be immediately appointed to investigate the matter, and report as early as practicable.

On motion of Mr. NASH, the Rule was suspended, and the Resolution considered immediately.

After debate, participated in by Messrs. Nash, Smalls, Hayne, McIntyre, Arnim,

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Ordered, That it be sent to the House of Representatives.

Mr. OWENS introduced the following Resolution :

Resolved, That the Clerk of the Senate be authorized to draw a pay certificate for four thousand dollars, on account of current printing.

On motion of Mr. OWENS, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Mr. JOHNSTON introduced the following Concurrent Resolution :

Whereas there has been information brought to the notice of this General Assembly of the terrible outrages that have been recently committed in the up-country by unknown parties, whereby many lives have been lost, and numbers of men compelled to leave their homes; and whereas many men from these Counties are now in this city, suffering from want of food, clothing and shelter, and dare not return to their homes; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That these men be employed, or in some manner afforded relief, by the State, until such time as they may with safety return to their homes.

Ordered for consideration to-morrow, and to be printed.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Bill to supply the deficiency in the appropriation for the Charleston City schools, for A. D. 1870.

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on Finance.

Bill to amend an Act entitled "An Act to regulate the formation of corporations."

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on the Judiciary.

Bill to regulate the tenure of certain civil offices.

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on County Offices and Officers.

Bill to regulate the granting of licenses to retailers of spirituous liquors.

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on the Judiciary.

Joint Resolution authorizing the County Commissioners of Spartanburg County to levy a special tax.

The Joint Resolution received its second reading, and was considered as in Committee of the Whole.

On motion of Mr. SWAILS, the Resolution was amended by the addition of the following :

"The same to be used exclusively to paying the past indebtedness of the County."

There being no further amendments,

Ordered, That the Resolution be engrossed for a third reading.

Resolution to appoint a Special Committee to compare printed Reports of Comptroller General with manuscript copy.

The Resolution was taken up for consideration.

On motion of Mr. WIMBUSH, the Resolution was amended by the addition of the following :

"And in case there appears any discrepancy, to compare the Reports with the vouchers in the office of the Comptroller General and State Treasurer."

The question was taken on agreeing to the Resolution, as amended, and decided in the affirmative.

Messrs. Arnim and Wimbush were appointed said Committee.

On motion of Mr. SWAILS, the following Bills were read by their titles and referred to the Committee on Incorporations :

Bill to incorporate the Moses' Guards, of Ridgeway, Fairfield County, South Carolina ;

Bill to recharter Pumpkintown Turnpike Road, in Pickens County ;

Bill to incorporate the Nashville Independent Blues Charitable Association.

The Senate proceeded to the consideration of

Report of the Committee on the Judiciary on a petition entitled "A petition of the County Commissioners of Beaufort, praying that they be relieved from prayment of the Stenographer for the County."

Pending debate, participated in by Messrs. Smalls, Corbin, Leslie and Whittemore,

The PRESIDENT announced the time arrived for the consideration of the

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day at 2 P. M., to wit:

Report of the Committee on Incorporations on a Bill to renew and amend the charter of the town of Mt. Pleasant.

On motion of Mr. LESLIE, further proceedings were postponed until the disposal of the matter previously under consideration.

GENERAL ORDERS.

The Senate resumed the consideration of

Report of the Committee on the Judiciary on a petition entitled "A petition of the County Commissioners of Beaufort, praying that they be relieved from payment of the Stenographer for the County."

After further debate,

On motion of Mr. SWAILS, the report of the Committee was ordered to lie on the table.

Report of the Committee on the Judiciary on a Bill entitled "A Bill to regulate the appointment, jurisdiction and duties of Notaries Public."

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Report of the Committee on the Judiciary on a Bill entitled "A Bill to authorize Circuit Judges to hold Court in other Counties than their own."

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Report of the Committee on the Judiciary on a Bill entitled "A Bill to amend an Act entitled 'An Act providing for the general elections, and the manner of conducting the same.'"

The Report was read, and the Bill taken up for a second reading.

On motion of Mr. ARNIM, the further consideration of the Bill was made the Special Order for to-morrow, at 1 P. M.

Report of the Committee on the Judiciary on a Bill supplementary to an Act entitled "An Act to authorize administrators, executors, and other fiduciaries, to sell certain evidences of indebtedness at public sale, and to compromise in certain cases."

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. CORBIN, Section 2 was amended in the last line by striking out the word "Bill," and inserting in lieu thereof the word "Act."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

RATIFICATION OF ACTS.

The Speaker of the House of Representatives attended in the Senate, when the following Act and Joint Resolution were duly ratified:

An Act to provide a salary for the office of Lieutenant-Governor of this State ;

Joint Resolution authorizing the State Auditor to suspend proceedings in certain cases.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

Report of the Committee on the Judiciary on a Bill entitled "A Bill to extend the jurisdiction of Probate Judges of this State."

The question was taken on agreeing to the Report, decided in the affirmative, and the Bill accordingly rejected.

Report of the Committee on the Judiciary on a Bill entitled "A Bill authorizing the Governor to appoint a Sheriff in the County of Greenville, to fill the unexpired term of A. B. Vickers, deceased."

The question was taken on agreeing to the Report, decided in the affirmative, and the Bill accordingly rejected.

Report of the Committee on the Judiciary on a Bill entitled "A Bill to repeal so much of the Act of 1839 as prohibits the Clerks of the Courts of the State from acting as Attorneys and Solicitors in the Courts of the State."

On motion of Mr. SWAILS, the Report was laid on the table, and the Bill taken up for a second reading and consideration.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. SWAILS moved to amend Section 2, in the 3d line, by striking out the word "respective," and all after the word "Courts" to the end of the Section, to wit: "in which they perform the duties of Clerks," and insert in lieu thereof the words "of the respective Counties."

Mr. ROSE moved that Section 2 be stricken out.

The motion of the Senator from York was not agreed to.

On the question of agreeing to the amendment of the Senator from Williamsburg,

Mr. LESLIE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Barber, Cardozo, Corbin, Dickson, Greene, Hayne, Holcombe, Johnston, Leslie, Montgomery, Smalls, Swails, Whittemore, Wilson, Wimbush.—15.

Nays—Messrs. Arnim, Bieman, Burroughs, Clinton, Duvall, Owens, Rose.—7.

So the amendment of the Senator from Williamsburg was agreed to.

On motion of Mr. SWAILS, Section 2 was further amended by the addition of the following proviso:

"Provided, Such Clerk shall have complied with the requirements of an Act to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State, approved the 23d day of September, A. D. 1868."

There being no further amendments,

Ordered, That the Bill, as amended, be engrossed for a third reading.

REPORTS OF COMMITTEES.

Mr. MAXWELL, from the Committee on Engrossed Acts, reported that the following Joint Resolution and Act, having been duly enrolled, sealed and ratified, were presented to His Excellency the Governor for approval this day, at 2:25 P. M.:

A Joint Resolution authorizing the State Auditor to suspend proceedings in certain cases;

An Act to provide a salary for the office of Lieutenant-Governor of the State.

RESOLUTIONS.

Mr. WIMBUSH introduced the following Resolution:

Resolved, That the Clerk of the Senate shall furnish to the Committee appointed by the President to compare the printed Report of the Comptroller-General with the manuscript, the copy of said manuscript.

On motion of Mr. ROSE, the Rule was suspended and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Mr. CORBIN introduced the following Resolution, which was considered immediately, and agreed to :

Resolved, That Hon. John Wilson be added to the Committee on the Judiciary.

The PRESIDENT announced Messrs. Swails and Hayne, Committee on the part of the Senate, pursuant to a House concurrent resolution to obtain information relative to the disbursement of the \$135,000 appropriation for the payment of Legislative expenses.

On motion of Mr. BARBER, at 3:10 P. M., the Senate adjourned.

THURSDAY, JANUARY 12, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Clerk read the Journal of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate :

Bill ceding the jurisdiction of the State of South Carolina to the United States of America over such lands as may be acquired for public purposes by the said United States of America ;

Bill to renew and amend an Act to provide a mode by which to perpetuate testimony in relation to deeds, wills, choses in action, and other papers destroyed or lost during the recent war ;

Joint Resolution authorizing the Executive to commission Ridley K. Carlton as Coroner of Beaufort County.

The above Bills and Joint Resolution received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

PETITIONS, &c.

Mr. CORBIN presented the petition of Henry A. Middleton, praying a recharter of Combahee Ferry, and that it be vested in the petitioner which was referred to the Committee on Incorporations.

Mr. WHITTEMORE presented the account of W. B. Timmons, amounting to \$333.44, for services rendered as Sheriff of Darlington District; which was referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Select Committee appointed to consider and report on the subject of the impeachment of T. O. P. Vernon, Judge of the Seventh Judicial Circuit, reported the following order :

Ordered, That the Clerk of the Senate inform the House of Representatives that the Senate is ready to receive the managers appointed by the House of Representatives to carry to the Senate articles of impeachment against T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina.

On motion of Mr. WHITTEMORE, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

Mr. ARNIM, from the Committee on County Offices and Officers, to whom was referred a Bill to regulate the tenure of certain civil offices, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to recharter the Pumpkintown Turnpike Road, in Pickens County, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. LESLIE, from the Committee on Contingent Accounts and Expenses, to whom was referred sundry contingent accounts against the Senate, reported back the same, with a recommendation that they be paid.

On motion of Mr. LESLIE, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative, and the accounts ordered to be paid.

Mr. JOHNSTON, from the Committee on Legislative Library, to whom was referred a Joint Resolution authorizing the State Librarian to purchase certain Volumes of State Reports, reported back the same, with a recommendation that the Resolution do pass.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Education, to whom was recommitted a Bill to amend an Act entitled "An Act to establish and maintain a system of free common schools for the State of South Carolina," reported back the same, with accompanying recommendation and amendments.

Ordered for consideration to-morrow, and to be printed.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to amend the charter of the town of Union, reported back the same, with a recommendation that the Bill do pass, with the following amendments:

Section 1, fourth line, strike out "thirty" and insert "sixty." Sec. 3, sixth line, strike out "thirty" and insert "sixty." Sec. 4, third line, strike out "four" and insert "six." Sec. 6, third line, strike out "Magistrates" and insert "Trial Justices." Sections 8 and 9, where the words "Commissioners of Roads" occur, strike out the same, and insert "County Commissioners." Sec. 9, twentieth line, strike out "twenty-five" and insert "ten." Sec. 10, strike out all after the word "bidder." Sec. 17, after the word "dollars" insert "or imprisonment not exceeding sixty days, or both, at the discretion of the Court."

BILLS INTRODUCED.

Mr. NASH, pursuant to notice, introduced

A Bill to amend the charter of the Columbia Building and Loan Association;

A Bill to repeal so much of an Act entitled "An Act to organize and govern the militia of the State of South Carolina," as provides for the appointment and pay of an Assistant Adjutant General;

A Bill to amend Section 9 of an Act entitled "An Act to provide for the appointment of a Land Commissioner, and to define his powers and duties."

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill for the maintenance and support of illegitimate children.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. JOHNSTON, pursuant to notice, introduced

A Bill to provide for the establishment of a House of Correction.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WIMBUSH, on behalf of the Committee on Incorporations, introduced

A Bill to incorporate the Rock Hill Hook and Ladder Company.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. NASH gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to incorporate the Columbia Street Railway Company.

RESOLUTIONS.

Mr. ARNIM introduced the following Resolution :

Resolved, That the Committee on the Penitentiary be instructed to inquire if the Penitentiary is now governed by a lawful officer, styled Superintendent.

On motion, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Report of the Committee on the Judiciary on a Bill entitled " A Bill to define the law in relation to certain easements, and for other purposes."

The Report was read.

The question was taken on agreeing to the Report, decided in the affirmative, and the Bill accordingly rejected.

Report of the Committee on the Judiciary on a Joint Resolution to allow Hon. James L. Orr compensation for extra services.

The Report was read, and the Joint Resolution taken up for a second reading.

The Resolution received its second reading, and was considered as in Committee of the Whole.

On the question of agreeing to the recommendation of the Report of the Committee on the Judiciary, to fill the blank in the Resolution with the words " two thousand,"

Mr. SMALLS moved, as an amendment, that the blank be filled with the words, " one thousand."

After debate, participated in by Messrs. Corbin, Wimbush, Arnim, Nash, Hayne, Rose, Maxwell, Whittemore,

Mr. MAXWELL moved to fill the blank with the words "twelve hundred."

Pending debate, participated in by Messrs. Leslie, Rose,

The PRESIDENT announced the hour arrived for the consideration of the

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day at 1 P. M., to wit:

Bill (from Committee on the Judiciary) to amend an Act entitled "An Act providing for the general election, and the manner of conducting the same."

On motion of Mr. JOHNSTON, further proceedings under the Special Order were postponed until the disposal of the matter previously under consideration.

GENERAL ORDERS.

The Senate resumed the consideration of the Joint Resolution to allow Hon. James L. Orr compensation for extra services.

After further debate, participated in by Messrs. Leslie, Rose, Whittemore,

Mr. WHITTEMORE moved that the blank be filled with the word "one thousand."

Mr. HAYNE moved that the further consideration of the Report and Joint Resolution be indefinitely postponed.

After further debate, participated in by Messrs. Hayne, Maxwell, Nash, Rose, Whittemore, Arnim, Wilson, Leslie, Rose, Duvall,

On the question of agreeing to the motion of the Senator from Marion,

Mr. JOHNSTON called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Barber, Burroughs, Clinton, Duvall, Foster, Hayne, Johnston, Leslie, Nash, Owens, Smalls, Swails, Wimbush.—13.

Nays—Messrs. Allen, Arnim, Cardozo, Corbin, Dickson, Greene, Hayes, Maxwell, Montgomery, Rose, Whittemore, Wilson.—12.

So the further consideration of the Report and Resolution was indefinitely postponed.

SPECIAL ORDER.

The Senate resumed the consideration of the Special Order for this day, at 1 P. M., to-wit:

Bill (from Committee on the Judiciary) to amend an Act entitled "An

Act providing for the general election, and the manner of conducting the same."

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On the motion of Mr. HAYNE to amend Section 1, in the fifth and seventh lines, printed Bill, by striking out the words "from each political party,"

On motion of Mr. LESLIE, to further amend by striking out of the fifth and seventh lines the word "each," and inserting in lieu thereof the words "the opposite."

Pending debate,

The PRESIDENT announced the hour arrived for the consideration of the second

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 2 P. M., to-wit:

Report of the Committee on Incorporations on a Bill to renew and amend the charter of the town of Mt. Pleasant.

On motion of Mr. HAYNE, further proceedings under the above Special Order were postponed until the disposal of the matter previously under consideration.

SPECIAL ORDER FOR 1 P. M.

The Senate resumed the consideration of the Special Order for this day at 1 P. M., to wit:

Bill (from the Committee on the Judiciary) to amend an Act entitled "An Act providing for the general elections, and the manner of conducting the same."

Hon. C. W. MONTGOMERY, President *pro tem.*, took the Chair,

On the question of agreeing to the amendment offered by the Senator from Barnwell,

After debate, participated in by Messrs. Corbin, Maxwell, Leslie, Whittemore,

On motion of Mr. LESLIE, the further consideration of the Bill was postponed, and made the Special Order for to-morrow, at 1 P. M.

SPECIAL ORDER FOR 2 P. M.

The Senate resumed the consideration of the Special Order for this day at 2 P. M., to wit:

Report of the Committee on Incorporations on a Bill to renew and amend the charter of the town of Mt. Pleasant.

On motion of Mr. HAYNE, the Special Order was discharged, and the Report and Bill ordered to be placed in the General Orders for to-morrow.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

Joint Resolution (by the Committee on the Judiciary) for the relief of S. Cochran, F. Cochran, Elizabeth Cochran, Juliana Irvine, Isabella Irvine and Henrietta Irvine.

The Joint Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That the Resolution be engrossed for a third reading.

Report of Select Committee appointed to consider and report upon the message of the House of Representatives in relation to the impeachment of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina, on Rules of Procedure and Practice in the Senate when sitting in the trial of impeachment.

On motion of Mr. WHITTEMORE, the further consideration of the Report was postponed, and made the Special Order for to-morrow at 2 P. M.

Report of the Committee on Contingent Accounts and Expenses of the Senate, to whom was referred sundry claims against the Senate for amounts therein contained.

The question was taken on agreeing to the Report, decided in the affirmative, and the accounts ordered to be paid.

Report of the Committee on Incorporations on a Bill to alter and amend the charter of the town of Darlington.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. WHITTEMORE, Section 10 was amended in the second line by filling the blank with the word "fifty."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. SMALLS, at 2:40 P. M., the Senate adjourned.

FRIDAY, JANUARY 13, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by Hon. C. W. MONTGOMERY, President *pro tem*.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Clerk read the Journal of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

Report (favorable) of the Committee on Contingent Accounts of the House of Representatives, on the account of the Columbia Gas Company.

On motion of Mr. WHITTEMORE, the Report was referred to the Committee on Contingent Accounts and Expenses of the Senate.

The House also sent to the Senate

Concurrent Resolution authorizing the publication of one thousand extra copies of the Report of the Commissioner of Agricultural Statistics.

On motion of Mr. WIMBUSH, that the consideration of the Resolution be postponed and made the Special Order for Monday, January, 23, 1871,

Mr. WHITTEMORE moved that the consideration of the Resolution be postponed to the next regular session.

The motion of the Senator from Darlington was subsequently withdrawn.

The question was taken on agreeing to the motion of the Senator from Darlington, and decided in the affirmative.

Hon. A. J. RANSIER, President, took the chair.

The House returned to the Senate, with concurrence,

Concurrent Resolution to appoint a Special Committee of investigation to investigate as to the amounts drawn from the State Treasury by the Committee appointed at the regular session of 1868-'69 to investigate the electoral affairs of the Third Congressional District of this State.

The PRESIDENT announced Messrs. Nash and Smalls the Committee on the part of the Senate, pursuant to the above Resolution, and a message sent to the House of Representatives accordingly.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading :

A Bill to regulate the appointment, jurisdiction and duties of Notaries Public ;

A Bill to repeal so much of an Act of 1839 as prohibits the Clerks of the Courts of the State from acting as Attorneys and Solicitors in the Courts of the State ;

A Bill to authorize Circuit Judges to hold Courts in other Circuits than their own.

The above Bills received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Joint Resolution authorizing the County Commissioners of Spartanburg County to levy a special tax.

The Joint Resolution received its third reading.

On motion of Mr. FOSTER, and by unanimous consent of the Senate, the Joint Resolution was amended by striking out the words "the same to be used exclusively to paying the past indebtedness of the County."

The Resolution, as amended, passed, and was ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading :

Bill supplementary to an Act entitled "An Act to authorize Administrators, Executors, and other fiduciaries, to sell certain evidences of indebtedness at public sale, and to compromise in certain cases."

The Bill received its third reading, passed :

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred the following Bills, reported back the same with a recommendation that the Bills do pass :

Bill to incorporate the Nashville Independent Blues Charitable Association ;

Bill to incorporate the Moses Guards, of Ridgeway, Fairfield County, South Carolina.

Mr. GREENE, from the Committee on Finance, to whom was referred
Ordered for consideration to-morrow.

a Bill to supply the deficiency in the appropriation for the Charleston City Schools, for A. D 1870, reported back the same with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. OWENS, from the Committee on Finance, to whom was referred a Bill to increase the salaries of the Justices of the Supreme Court, reported back the same with a recommendation that the Bill do not pass.

Mr. SMALLS moved that the Rule be suspended and the Report considered immediately.

Objection being made, the Resolution was ordered for consideration to-morrow.

Mr. ARNIM, from the Committee on County Offices and Officers, to whom was referred a Bill to amend an Act entitled "An Act to define the jurisdiction and duties of County Commissioners," reported back the same, with the following amendments:

"In Section 1, line 15, between the words "be" and "presented," insert "numbered, and they shall be."

In line 22, between the words "not" and "draw," insert "in anticipation of the tax levied upon the County."

Strike out all after the word "the," in 24th line, to "nor," in 26th line, and insert "whole amount of the said tax in any one year."

In Section 2, strike out "also," in 1st line.

In line 5, between the words "Commissioners" and "whose," insert "except in the Counties of Charleston and Edgefield, in which the Board of County Commissioners shall appoint some suitable person as Clerk."

Also, the following additional amendments to the Bill:

SECTION 3. At the end of paragraph 4, Section 10, add "And all work given out by the County Commissioners, when the amount shall exceed the sum of one hundred dollars, shall be done by contract. And the Commissioners are hereby required to advertise the same, in one of the papers of the County, at least, for thirty days, inviting proposals. Said proposals shall in all cases be accompanied by two or more sufficient sureties; and the County Commissioners shall have the right to reject any or all bids, if, in their judgment, the interests of the County so require."

In Section 18, after "Board," paragraph 4, insert "a new division":

"5. To countersign every check drawn on the County Treasurer; and in the County of Charleston, the County Auditor shall counter-sign every check drawn by the County Commissioners of that County on the Treasurer of said County."

BILLS INTRODUCED.

Mr. LESLIE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to renew the charter of the town of Bamberg, in the County of Barnwell.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to incorporate the town of Florence, S. C.

The Bill received its first reading, and was ordered for a second reading and consideration to-morrow.

RESOLUTIONS.

Mr. WHITTEMORE introduced the following Resolution :

Resolved, That the Senate Judiciary Committee be requested to report a Bill providing for the working of the roads and highways.

Ordered for consideration to-morrow.

Mr OWENS introduced the following Concurrent Resolution :

Whereas, the Superintendent of the Penitentiary, it is alleged, has abused the office which he holds by speculating in the property and funds of the State appropriated in aid of and for the use of the said Institution, and it is also alleged that certain Directors of the Penitentiary have entered into unlawful combinations for the purpose of speculating with the funds and property of the said Institution, and in the use of the convict labor, to the great detriment and injury of the rights and interests of the people of the State ; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That a Special Committee of Three on the part of the Senate, and——— on the part of the House, be appointed to investigate the affairs and operations of the Superintendent of the said Penitentiary, as well as the Directors of the said Institution, and that said Committee have power to send for persons and papers, and that they do report to the General Assembly as early as practicable.

On motion of Mr. NASH, the Rule was suspended, and the Resolution considered immediately.

Pending debate

The PRESIDENT announced the hour arrived for the consideration of the

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M., to wit :

Bill (from the Committee on the Judiciary) to amend an Act entitled

"An Act providing for the general election, and the manner of conducting the same."

On motion of Mr. HAYNE, further proceedings under the Special Order were postponed until the disposal of the matter previously under consideration.

RESOLUTIONS.

The Senate resumed the consideration of the Resolution introduced by the Senator from Laurens to appoint a Special Committee of Investigation.

After debate, participated in by Messrs. Corbin, Hayne, Nash, Leslie, Mr. HAYNE moved to amend the Resolution by striking out the words "of three," and inserting in lieu thereof the words "on the State Penitentiary."

After further debate, participated in by Messrs. Swails, Hayne, Leslie, Whittemore, Corbin, Nash,

On the question of agreeing to the amendments offered by the Senator from Marlon,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken and resulted as follows :

Yeas—Messrs. Arnim, Bieman, Burroughs, Cardozo, Clinton, Corbin, Dickson, Duncan, Duvall, Foster, Hayne, Johnston, Nash, Smalls, Whittemore, Wilson —16.

Nays—Messrs. Barber, Greene, Leslie, Owens, Swails.—5.

So the amendment of the Senator from Marion was agreed to.

The question was taken on agreeing to the Resolution, as amended, and decided in the affirmative.

Mr. CORBIN introduced the following Resolution :

Resolved, That the County Treasurer for Charleston County be instructed to report to the Senate, with the least possible delay :

1st. The amount of money collected and paid out by him and his predecessors in office for County purposes on the checks of the County Commissioners, or their Chairman, during the past fiscal year.

2d. The name of the drawee, and amount thereof, of each check paid, drawn by the County Commissioners, or their Chairman, during the past fiscal year.

3d. The amount of the tax levy during the past fiscal year, the amount of taxes collected, and the amount past due and unpaid taxes, for County purposes.

On motion of Mr. CORBIN the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

MESSAGE FROM THE GOVERNOR.

The Sergeant-at-Arms announced Message from the Governor.

Messages No. 8 and 9 from His Excellency the Governor were presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Message related to Executive Business.

SPECIAL ORDERS.

The Senate resumed the consideration of the Special Order for this day at 1 P. M., to wit:

Bill (from Committee on the Judiciary) to amend an Act entitled "An Act providing for the general election, and the manner of conducting the same"

The question recurred on agreeing to the amendment offered by the Senator from Barnwell, to strike out of the 5th and 7th lines of Section 1, the word "each" and insert in lieu thereof the words "the opposite."

After debate, participated in by Messrs. Leslie, Corbin, Whittemore, Swails, Hayne, Johnston,

On the question of agreeing to the amendment of the Senator from Barnwell.

Mr. CORBIN called for the yeas and nays.

The yeas and nays were taken and resulted as follows:

Yeas.—Messrs. Hayne, Johnston, Leslie, Nash, Owens, Smalls Swails, Wimbush.—8.

Nays.—Messrs. Allen, Arnim, Bieman, Burroughs, Cardozo, Clinton, Corbin, Dickson, Duncan, Duvall, Foster, Greene, Hayes, Holcombe, Montgomery, Whittemore, Wilson.—17.

So the amendment of the Senator from Barnwell was not agreed to.

Mr. JOHNSTON moved that Section 1 be stricken out.

On the question of agreeing to the motion of the Senator from Sumter, Mr. SMALLS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas.—Messrs. Barber, Johnston, Leslie, Nash, Owens, Smalls, Swails, Wimbush.—8.

Nays.—Messrs. Allen, Arnim, Bieman, Burroughs, Cardozo, Clinton, Corbin, Duncan, Duvall, Foster, Greene, Hayes, Hayne, Holcombe, Montgomery, Whittemore, Wilson.—17.

So the motion of the Senator from Sumter was not agreed to.

Mr. BARBER moved that the Senate do now adjourn.

On the question of agreeing to the motion of the Senator from Fairfield,

Mr. DUVALL called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas.—Messrs. Arnim, Barber, Duncan, Johnston, Leslie, Montgomery, Nash, Owens, Smalls, Swails, Wimbush.—12.

Nays.—Messrs. Allen, Bieman, Burroughs, Cardozo, Clinton, Corbin, Duvall, Foster, Greene, Hayne, Holcombe, Whittemore, Wilson.—13.

So the Senate refused to adjourn.

SPECIAL ORDER.

The PRESIDENT announced the hour arrived for the consideration of the Special Order for this day, at 2 P. M., to wit:

Report of Select Committee appointed to consider and report upon the message of the House of Representatives in relation to the impeachment of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina, on Rules of Procedure and Practice in the Senate when sitting in the trial of impeachment

On motion of Mr. SMALLS, further proceedings under the Special Order were postponed until the disposal of the matter previously under consideration.

SPECIAL ORDER FOR 1 P. M.

The Senate resumed the consideration of the Special Order for 1 P. M.

Bill (from Committee on the Judiciary) to amend an Act entitled "An Act providing for the general election, and the manner of conducting the same."

Mr. NASH moved that the further consideration of Section 1 of the Bill be indefinitely postponed.

Pending debate,

The Sergeant-at-Arms announced the Managers of the Impeachment on the part of the House of Representatives.

The PRESIDENT—The Managers will advance within the bar and take the seats provided therein.

The Managers on the part of the House of Representatives came within the bar.

Mr. Manager W. J. Whipper—Mr. President, the Managers on the part of the House of Representatives, by order of the House, are ready at the bar of the Senate, whenever it may please the Senate to hear them, to present articles of impeachment, and in maintenance of the impeachment against T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina, by the House of Representatives.

The PRESIDENT—The Sergeant-at-Arms of the Senate will make proclamation.

The Sergeant-at-Arms—All persons are commanded to keep silence, on pain of imprisonment, while the House of Representatives is exhibiting to the Senate of South Carolina articles of impeachment against T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina.

Hon. F. J. Moses, Jr., Speaker of the House of Representatives, on the part of the Managers, read the following:

ARTICLES

Exhibited by the House of Representatives of the State of South Carolina, in the name of themselves and of all the people of the State, against T. O. P. Vernon, Judge of the Circuit Courts of the Seventh Judicial Circuit of the State of South Carolina, in maintenance and support of the impeachment against him for high crimes and misdemeanors.

ARTICLE I.

That whereas, for the due, faithful and impartial administration of justice, temperance and sobriety are essential qualities in the character and conduct of a Judge, yet the said T. O. P. Vernon, unmindful of the solemn duties of his office, forgetful of the dignity which belonged to his judicial station, and in reckless disregard of that decorum which should ever regulate the conduct of a Judge, in and out of Court, and to the great scandal and detriment to the administration of Justice, has frequently appeared upon the Bench when in a state of drunkenness, and especially did so preside at the regular terms of said Courts, held in the County of Newberry, respectively, to wit: during the regular term commencing in that County on the third Monday of May, A. D. 1870, and also during the regular term in said County, commencing on the third Monday of September, A. D. 1870, when so much under the influence of intoxicating drink as to impair his capacity to discharge generally the duties of his office.

ARTICLE II.

That the said T. O. P. Vernon, Judge as aforesaid, in entire disregard of his duty, as such Judge, and in violation of public decency, order and good morals, and to the great scandal and detriment of the administration of Justice, has, at various times and places, appeared upon the Bench for the discharge of judicial duties, in a condition of gross drunkenness and especially did so preside in the City of Columbia, County of Richland, on or about the 10th day of December, A. D. 1870, upon the hear-

ing of certain cases of *habeas corpus*, when so drunk as to scarcely be able to comprehend the nature of the proceedings then being had before him.

ARTICLE III.

That the said T. O. P. Vernon, Judge, as aforesaid, in entire disregard of his duty, and in violation of public decency, order and good morals, and to the great scandal and detriment to the administration of justice, has, at various times and places, appeared upon the Bench, for the purpose of administering justice, in a state of intoxication, produced by the free and intemperate use of inebriating liquors, and, especially, did so preside, when in that condition, during a term of Court held in the city of Greenville, County of Greenville, in this State, commencing on or about the second Monday in January, A. D. 1870, being to the evil example of all the good citizens of this State, and disgraceful to his own character as a Judge.

ARTICLE IV.

That the said T. O. P. Vernon, in entire disregard of his duty as such Judge, as aforesaid, and in violation of public decency, order and good morals, and to the great scandal and detriment to the administration of justice, during one year now last past, and, while holding said office, had been in the frequent and common habit, while holding the terms of the respective Courts of the Seventh Judicial Circuit of the State of South Carolina, as well as during the vacation of the same, of becoming grossly intoxicated, and exhibiting himself to the public, as well by day as by night, in a state of gross drunkenness

ARTICLE V.

That the said T. O. P. Vernon, by reason of, and as a consequence of, his intemperate habits and habitual drunkenness, has rendered himself, has been, and is now, utterly incompetent for the proper discharge of the duties of his said office.

ARTICLE VI.

That the said T. O. P. Vernon, for about one year now last past, he being, during the whole of said period, Circuit Judge of the Seventh Judicial Circuit, has wilfully neglected to perform the duties of said office with reasonable diligence, thereby causing great delays in the transaction of the judicial business of his said Circuit, and causing great loss, damage and inconvenience to suitors, jurors and witnesses before the Courts over which he presided, and, especially, at the respective terms of his said Courts, in and for the County of Newberry.

ARTICLE VII.

That, unmindful of the solemn duties of his office, and contrary to the sacred obligation by which he stood bound to discharge them, the said T. O. P. Vernon, Circuit Judge as aforesaid, did, during the month of December, A. D. 1870, issue certain writs, purporting to be writs of *habeas corpus*, which said writs, at the time of their issuance, were in blank, and not addressed to any officer, nor did said writs contain the names of any person or persons, whomsoever, nor was any petition ever presented to him praying for the same ; which said writs, purporting to be writs of *habeas corpus*, as aforesaid, were subsequently used by other persons to whom they had been given, filling up the blanks left therein, and by the insertion, by said other persons, in said writs, of the names of parties who were not under any arrest, of which the said T. O. P. Vernon had jurisdiction at the time of the signing and issuance by him of said pretended writs

ARTICLE VIII.

That whereas, the House of Representatives did, on the 10th day of December, A. D. 1870, pass a Resolution impeaching said T. O. P. Vernon for high crimes and misdemeanors in office ; and whereas, a copy of said Resolution was duly served upon the said T. O. P. Vernon, by the Sergeant-at-Arms of the House of Representatives ; and whereas, the attention of the said T. O. P. Vernon was formally directed to Section 1 of Article VII of the Constitution of the State of South Carolina ; yet, in wilful defiance and disregard of Section 1 of Article VII of said Constitution, the said T. O. P. Vernon did assume to act as Judge, and actually did, illegally and arbitrarily, perform judicial duties.

And the House of Representatives, by protestation, saving to themselves the liberty of exhibiting at any time hereafter any further Articles, or other accusations, or impeachment against the said T. O. P. Vernon, and of replying to his answers which he shall make unto the Articles herein preferred against him, and of offering proof to the same, and every part thereof, and to all and every other Article, accusation, or impeachment, which shall be exhibited by them, as the case shall require, demand the said T. O. P. Vernon may be put to answer for the high crimes and misdemeanors in office herein charged against him, and that such proceedings, examinations, trials and judgments may be thereupon had as may be according to law and justice.

W. J. WHIPPER, Chairman.

The above Articles of impeachment against Hon. T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina, have this day,

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1871, been adopted by a two-thirds vote of all the members of the House of Representatives of South Carolina.

F. J. MOSES, JR., Speaker, &c.

D. JONES,

Clerk of House of Representatives.

PRESIDENT—The Senate will take due order upon the subject of adjournment, of which proper notice will be given to the House of Representatives.

Managers then withdrew.

At the adjournment of Mr. BARBER, at 3:10 P. M., the Senate adjourned.

SATURDAY, JANUARY 14, 1871.

At the adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

All was called, and, a quorum answering to their names, the President announced the Senate ready to proceed to business.

Prayer by Rev. E. J. Adams.

The Clerk read the Journal of yesterday.

JOSEPH B. FOSTER asked and obtained leave of absence from Monday to next.

JOSEPH B. ARDOZO asked and obtained leave of absence for the Senator at Charleston, for ten days, on account of illness in his family.

MEMBERS FROM THE HOUSE OF REPRESENTATIVES.

Mr. Jones returned, with concurrence,

of Senate Committee on Claims and Grievances, on the accounts of the Charleston Republican.

Mr. Jones sent to the Senate,

of the Committee on Claims of the House of Representatives on the account of L. Cain, for services rendered as school teacher in Edgefield County.

On motion of Mr. WHITTEMORE, the report was referred to the Committee on Education.

The House also sent to the Senate

Report of the Committee on Claims of the House of Representatives, on accounts of Columbia Phoenix, for public printing.

On motion of Mr. ARNIM, the Report was referred to the Committee on Public Printing.

PETITIONS.

Mr. BURROUGHS presented the petition of California Hughes, wife of James M. Hughes, Thomas M. Pouncey and Viola Pouncey, praying that certain real estate, of which Napoleon B. Pouncey died seized and possessed, and which escheated to the State, be released, and the right and interest of the State be vested in the petitioners, which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. HAYES, from the Committee on Claims, to whom was referred the petition of John McRae, of Kershaw County, praying to be released from his liability for the support of J. C. Whitaker, a lunatic in the State Lunatic Asylum, reported back the same, with a recommendation that the prayer of the petitioner be not granted.

Ordered for consideration on Monday, and to be printed.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred the following Bills, reported back the same, with a recommendation that the Bills do pass :

A Bill to charter the town of Hamburg ;

A Bill to incorporate the Charleston Riflemen Club.

Ordered for consideration on Monday next.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Bill to alter and renew the charter of the Town of Darlington;

Joint Resolution for the relief of S Cochran, T. Cochran, Elizabeth Cochran, Juliana Irvine, Isabella Irvine and Henrietta Irvine.

The above Bill and Joint Resolution received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. GREENE, from the Committee on Finance, to whom was referred a Bill to repeal an Act to provide for a sinking fund and the management of the same, reported back the same, with a recommendation that the Bill be laid on the table.

Ordered for consideration on Monday next.

Mr. GREENE, from the Committee on Finance, to whom was referred

a Bill to authorize and empower the Board of County Commissioners of Darlington County to borrow twenty-five thousand dollars, to pay off the present indebtedness of the County, and to issue bonds for the same, reported back the same, with a recommendation that the Bill do pass, with the following amendments :

1st. That the word "present," in the caption of the Bill, and wherever else it occurs in said Bill, be stricken out, and in lieu thereof be inserted the word "past," so that it may read "past indebtedness."

2d. That the clause "And be it further enacted," at the beginning of the second and succeeding Sections, being superfluous, be stricken out, so that each of said Sections may begin with the word "that," following immediately the clause recommended to be stricken out.

3d. That after the word "redeemable," on the fifth line of second Section, be stricken out the remainder of the Section, and in lieu thereof be inserted the following: "In equal amounts, in five, ten, fifteen and twenty years; the bonds so to be paid to be distinguished and described by the dates and numbers, beginning, for each successive payment, with the bonds of each class last dated and numbered. And the County Treasurer shall give public notice of the time of such intended payment; and the interest on the particular bonds, so selected at any time to be paid, shall cease at the expiration of three months from the date of such notice."

BILLS INTRODUCED.

Mr. WILSON, pursuant to notice, introduced

A Bill to renew and amend the charter of the town of Anderson.

The Bill received its first reading, was ordered for a second reading and consideration on Monday next, and to be printed.

Mr. WHITEMORE, pursuant to notice, introduced

Joint Resolution to withhold the last quarter's salary of School Commissioners who have not made an Annual Report.

The Joint Resolution received its first reading, was ordered for a second reading and consideration on Monday next, and to be printed.

RESOLUTIONS.

Mr. WHITEMORE introduced the following :

Resolved, That the Judiciary Committee of the Senate be requested to prepare a Bill to enforce the prompt and thorough collection of the poll tax.

Ordered for consideration on Monday next.

Mr. OWENS introduced the following Resolution :

Whereas it is alleged that a Receiver has been appointed, and has taken possession of the assets of the Bank of the State of South Carolina; and, whereas, it is alleged that said assets are of great value, and that the same, or a large portion thereof, has been disposed of by said Receiver, and that said disposition of the assets of the Bank of the State have been made, it is alleged, by order of Court, and that the proceeds thereof have been loaned and disposed of upon worthless securities, and that other dispositions of the said assets have been made to the great detriment and injury of the rights of the State of South Carolina; therefore,

Be it resolved by the Senate, the House of Representatives concurring, That the Receiver of the Bank of the State of South Carolina be requested to forthwith report to this General Assembly the date of his appointment, the nature and description of the assets which came into his possession as such Receiver, what disposition has been made by him as such Receiver, and by what authority, if any, and the date thereof, he made such dispositions or sale, and what disposition, if any, has been made by him of the proceeds of said assets so sold by him, and by what authority he disposed of or loaned the proceeds or assets of said Bank, to whom loaned, together with terms and conditions of said sales or loans so made by him, together with all the particulars relating thereto, or anywise concerning the same; and that he do report to this General Assembly within ten days after the copy of this Resolution shall be served upon him.

On motion of Mr. ARNIM, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Ordered, That it be sent to the House of Representatives.

NOTICES OF BILLS.

Mr. HAYES gave notice that he will on Monday next, or some subsequent day, ask leave to introduce

A Bill to provide for the election, by the people, of County Treasurers, County Auditors, and Justices of the Peace.

Mr. ARNIM gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to suppress retailing of spirits on sale and Court days, at the County seats, except the Counties of Charleston and Richland, and on Sundays, throughout the State;

A Bill to punish persons carrying concealed weapons ;

A Bill to tax pistols and guns.

Mr. WHITTEMORE gave notice that he will on Monday, or some subsequent day, ask leave to introduce

Concurrent Resolution requiring each County Treasurer to make a Report to the Senate:

1st. The amount of money collected and paid out by him and his predecessors in office for County purposes on the checks of the County Commissioners, or their Chairman, during the past fiscal year.

2d. The name of the drawee, and amount thereof, of each check paid-drawn by the County Commissioners, or their Chairman, during the past fiscal year.

3d. The amount of the tax levy during the past fiscal year, the amount of taxes collected, and the amount past due and unpaid taxes, for County purposes.

4th. The whole number of polls collected ;

A Bill to provide for the payment of Teachers throughout the State ;

A Bill to establish a Normal School in each Congressional District in the State.

A Bill to make the carrying of concealed weapons an offence, and to fix the penalty for the same ;

A Bill to provide for a tax on all fire arms.

UNFINISHED BUSINESS.

The Senate resumed the consideration of the Unfinished Business, to wit :

Bill (from Committee on the Judiciary) to amend an Act entitled " An Act providing for the general election, and the manner of conducting the same "

The question recurred on agreeing to the motion of the Senator from Richland that the further consideration of Section 1 of the Bill be indefinitely postponed.

After debate, participated in by Messrs. Hayne, Whittemore, Leslie,

On motion of Mr. WHITTEMORE, the further consideration of the Bill was postponed, and made the Special Order for Tuesday next, at 1 P. M.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

On motion of Mr. HAYNE, the Senate took up, out of its order, for second reading and consideration,

Bill to repeal an Act entitled " An Act to establish a Bureau of Agricultural Statistics, for the encouragement of industrial enterprises,

and to invite capital to South Carolina for the development of the resources of the State."

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

After debate, participated in by Messrs. Leslie, Whittemore, Duval, Hayne,

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. HAYNE, the vote whereby the above Bill passed to a third reading was reconsidered, and the motion for reconsideration ordered to lie on the table

On motion of Mr. HAYNE, the Senate took up, out of its order, for a second reading and consideration,

Bill to confer and impose upon the Land Commissioner the power and duties of the Commissioner of Agricultural Statistics.

The Bill received its second reading, and was considered as in Committee of the Whole, and by Sections.

After debate, participated in by Messrs. Whittemore, Hayne, Wimbush,

On motion of Mr. WHITTEMORE, the further consideration of the Bill was indefinitely postponed.

On motion of Mr. WHITTEMORE, the vote whereby the consideration of the above Bill was indefinitely postponed, was reconsidered, and the motion for reconsideration laid on the table.

MESSAGES FROM THE GOVERNOR.

The Sergeant-at-Arms announced Messages from the Governor.

Messages Nos 9, 10, 11, 12 and 13, from His Excellency the Governor, were presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Messages related to Executive business.

GENERAL ORDERS

The Senate resumed the consideration of the General Orders.

On motion of Mr. WILSON, the Senate took up, out of its order, for a second reading and consideration,

Bill to authorize the formation of and to incorporate the Savannah Valley Railroad Company.

On motion of Mr. HAYNE, the Bill was read by its title, and referred to the Committee on Railroads.

On motion of Mr. HAYNE, the Senate took up, out of its order, for a second reading and consideration :

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much of an Act entitled "An Act to organize and
' the State of South Carolina," as provides for the
of an Assistant Adjutant General.

its second reading, and was considered as in Com-
and by Sections.

endments,

Bill be engrossed for a third reading.

HAYNE, the Senate took up, out of its order, for a
consideration :

send an Act entitled "An Act providing for the
ion of property."

ARNIM, the Bill was read by its title and referred
Finance.

led to the consideration of

tee on Incorporations on a Bill to incorporate the
l.

ad, and the Bill taken up for a second reading.

its second reading, was considered as in Committee
y Sections.

endments,

Bill be engrossed for a third reading.

led to the consideration of

he lands forfeited to the State, and to create a school
f the same.

ARNIM, the Bill was read by its title, and referred
Public Lands.

Act entitled "An Act establishing a line beyond
all not be extended in the city of Charleston, and

ARNIM, the Bill was referred to the Committee on

McDOWELL, the Senate took up, out of its order,
and consideration,

uthorizing the County Commissioners of Chesterfield
sial tax.

on received its second reading, and was considered
he Whole.

endments,

Resolution be engrossed for a third reading.

LESLIE, the Senate took up, out of its order, for

charter of the town of Bamberg, in the County of

On motion of Mr. HAYNE, the Bill was read by its title, and referred to the Committee on Incorporations.

On motion of Mr. HAYNE, the Senate took up, out of its order, for consideration,

Bill to incorporate the town of Florence, S. C.

On motion of Mr. ARNIM, the Bill was read by its title, and referred to the Committee on Incorporations.

On motion of Mr. HAYNE, the Senate took up, out of its order, for consideration,

Report of Committee on Finance on a Bill to increase the salaries of the Justices of the Supreme Court.

On motion of Mr. HAYNE, the further consideration of the Report was postponed for ten days.

On motion of Mr. HAYNE, the Senate took up, out of its order, for consideration,

Report of the Committee on Finance on a Bill to supply the deficiency in the appropriation for the Charleston City Schools.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

After debate, participated in by Messrs. Leslie, Whittemore, Nash, Arnim, Hayne, Wimbush,

Mr. NASH moved that the further consideration of the Bill be postponed, and made the Special Order for Monday next, at 1 P. M.

Mr. HAYNE moved to amend the motion of the Senator from Richland, by striking out the word "Monday," and inserting in lieu thereof the word "Tuesday."

The amendment was accepted.

The question was taken on agreeing to the motion of the Senator from Richland, as amended, and decided in the affirmative.

EXECUTIVE SESSION.

At 1:45 P. M. the Senate went into Executive Session.

After disposal of Executive Business, the Senate returned to open session.

On motion of Mr. HOLCOMBE, at 3:15 P. M., the Senate adjourned.

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MONDAY, JANUARY 16, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Clerk read the Journal of Saturday.

Mr. ARNIM asked and obtained the unanimous consent of the Senate for a suspension, as to himself, of Rule 6 of the Senate, on account of sickness.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following Message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., January 16, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that Messrs. Briggs, Whipper, and Lee have been appointed a Committee on the part of the House to meet a similar Committee of your honorable body to wait upon the State Treasurer and solicit information as to expenditure of appropriation of \$135,000.

Respectfully yours,

F. J. MOSES, JR.,
Speaker House of Representatives.

The House also sent to the Senate :

A Bill to incorporate the Charleston Cleansing Company, of the City of Charleston ;

A Bill to regulate the right of traverse ;

A Bill to incorporate the South Carolina Saving and Building Association, No. 2.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

PETITIONS, &c.

Mr. LESLIE presented the petition of W. W. Woodward, late Sheriff of Barnwell County, praying that provision be made for compensation for certain services rendered by Sheriffs throughout the State under General and Special Orders from Military Headquarters, Second Military District, series of 1867 and 1868 ; which was referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to incorporate the town of Florence, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. CARDOZO, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification,

Joint Resolution authorizing the County Commissioners of Williamsburg County to levy a special tax ;

An Act supplementary to an Act entitled "An Act to authorize administrators, executors, and other fiduciaries, to sell certain evidences of indebtedness at public sale, and to compromise in certain cases."

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate to assist in the ratification of the above Act and Joint Resolution.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading :

A Bill to repeal so much of an Act entitled "An Act to organize and govern the militia of the State of South Carolina, as provides for the appointment and pay of an Assistant Adjutant-General ;"

A Bill to repeal an Act entitled "An Act to establish a Bureau of Agricultural Statistics."

The above Bills received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to incorporate the Hedges' Light Guard, of Edisto, South Carolina.

The Bill received its third reading.

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled.

BILLS INTRODUCED.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to establish a Normal School in each Congressional District in this State.

A Bill to require County Treasurers to report to the General Assembly.

A Bill to supply the deficiency in the appropriation for the support and maintenance of Free Schools for 1870.

The Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. WHITTEMORE introduced the following Resolution :

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all records, books and papers now in the office of the Commissioner of Agricultural Statistics, belonging to the same, be transferred to the office of the Secretary of State.

On motion of Mr. WHITTEMORE, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Mr. SWAILS introduced the following Resolution :

Whereas Hon. Frank Arnim, W. B. Nash, Robert Smalls and Lucius Wimbush, did refuse to vote under the decision of the President *pro tem*, when the yeas and nays were called ; therefore, be it

Resolved, That Hon. Frank Arnim, W. B. Nash, Robert Smalls, and Lucius Wimbush, be ordered before the bar of the Senate, and show cause why they should not be punished for contempt.

Mr. ARNIM moved that the Rule be suspended, and the Resolution considered immediately.

Objection being made, the Resolution was ordered for consideration to-morrow.

NOTICES OF BILLS.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, introduce

A Joint Resolution to make an appropriation for the maintenance of the Common Schools of South Carolina, for the fiscal year of 1870.

MESSAGES FROM THE GOVERNOR.

The Sergeant-at-Arms announced Message from the Governor.

Messages Nos. 17 and 18 were presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

Message No. 17 was read, as follows :

STATE OF SOUTH CAROLINA,

EXECUTIVE DEPARTMENT,

COLUMBIA, January 16, 1871.

To the Senate and House of Representatives :

I have received the Concurrent Resolution of the Senate and House of Representatives, requesting me to inform the General Assembly " Why

a sufficient militia force for the protection of life, liberty and property have not been stationed in such Counties in this State as have been hitherto riotous and refractory; and, further, why have not the out-laws in them been brought to condign punishment; and why the provisions of Section 2 of Article 13 of the Constitution have not been enforced; and also, to inform the General Assembly what further legislation is necessary to effect the purpose herein stated.

In furnishing you such information as it is in my power to supply, and while I deeply deplore the disturbances to which your Resolution refers, I can scarcely venture, as Executive of the State, to pronounce any of its Counties "riotous and refractory" upon the reported cases of individual outrage; and while no information has been received in this office indicating anything like a County organization to defy or to defeat the law, I am the more cautious in this respect, because it will be recollected that very many cases of individual violence have hitherto been reported, both from the Counties of Abbeville and Edgefield. But the prompt and impartial administration of justice in these Counties has proved that the civil power was sufficient for the protection of the life, liberty and property of our citizens; and these Counties are now as quiet, peaceable and orderly as any portion of the State. But if there was any part of the State in which violence and disorder were so general as to disarm the power of the civil Courts, I must say, frankly, that I have no such militia force as would be competent to suppress them; and if I had, I have no means to place and maintain such a force in the field.

If, by the "out-laws who have not been brought to condign punishment," you mean those individuals who have lately perpetrated the outrages in the Counties of Spartanburg and Union, I can only say that every effort has been made that could lawfully be made by the Executive to discover these criminals, and bring them to speedy trial. In some instances those suspected of guilt have been committed for trial, and in their cases, the Executive is without power, as he ought to be without disposition, to interfere with the due administration of the law. In other instances the perpetrators of these crimes are not known, and have not yet been discovered. I can only promise that every effort shall be made to arrest and bring them to justice.

I am not aware that the second Section of the 13th Article of the Constitution has not been enforced.

That Section provides:

"The Governor shall have power to call out the Militia to execute the laws, repel invasion, repress insurrection and preserve the public peace."

I cannot say, with truth, upon any information in my possession, that in any section of the State the laws are not executed, for not a single case has been reported in which the officers of the law have been resisted in

THE SENATE,

no invasion which I am called on to suppress.

peace" of the State is threatened. Exercise of the power of calling out of the Constitution just quoted, I inform you that the condition of the State is disturbed and dangerous. In Law and property are not secure. Disregard of the law, and murder, have led to apprehension, on the part of the people. Outrages are promptly checked, the ordinary remedies. I do not propose to detail, nor to attempt the discussion of what they are so grave and so numerous that they exhaust all the power of representation.

I am glad to be able to do it, that the people are to be aroused to the character of the crisis, and public meetings have been held by influential citizens of Laurens and other counties. If sufficiently strong, their abhorrence of the Executive in the face of the law, are carried out in action, we may have peace and order, but something more than the present just and generous in sentiment. If the State ought to be sufficient, it should be sufficient, to protect the person of the State, however humble. I am not going myself to contemplate the use of force in the violation of the law in a time of peace. It would be as bad as the disease, and as there was no civil government in South Carolina in a condition of social anarchy. I am the Executive of this State, and in reverence for the personal liberty, which are the vital principles of the law is duly enforced before I

I dare not, and will not, assume the responsibility until the effort has been made, and

that the law is enforced, and when I call upon you for the extraordinary or self-protection. But, at present, that all the cases of reported vio-

lence are individual violations of the law; that none of them have assumed the character of public combinations against the law; and that they are all within the regular jurisdiction of the criminal Courts of the County. But I do not think that the administration of the criminal law is sufficiently vigorous. As the Executive of the State, it is impossible for me to superintend or control the trial of criminals. This duty must be left to the Attorney-General and the Solicitors, who are the prosecuting officers of the State, and to whom the administration of the criminal law, in their respective spheres of duty, is committed by the same law which defines my own duties and powers. That these officers have done, and will do, their duty, I have no doubt, but I do not think that their powers are sufficiently strong, or their means of action sufficiently large. To illustrate my meaning more fully, each Solicitor has several Counties under his official charge. A murder is committed in one of the remoter districts, where he does not reside. A warrant is issued; a Coroner's inquest makes a very unsatisfactory report of the circumstances, unless the friends or family of the victim are especially; a few witnesses are bound over, and the papers are put in the hands of the Solicitor the day that the Court opens; and if a true bill is found, he goes on with the trial, with a slight and imperfect preparation thus made; nor can the Solicitor be blamed. He has many Courts to attend, very many cases to prepare; has not had opportunity to learn the circumstances of his case, or the character of his testimony. Now, in ordinary times, when cases of violence are rare, shock the humanity of public opinion, and excite the indignant activity of those who are interested in the suffering parties this labor of preparation was spared the Solicitor, because he always had an individual prosecutor behind him. But when the crime is one in which the sympathy of public opinion is not warmly interested, or where a disturbed condition of popular sentiment is not disposed actively to assist public justice, or where the parties suffering are too friendless to make themselves heard, then the duty of the Solicitor, while it becomes more imperative, also becomes more difficult. To do justice, he needs larger powers and more assistance.

I would, therefore, recommend a more complete and efficient organization of the machinery necessary for the administration of criminal justice. The Attorney-General is the proper representative of the Criminal Justice of the State, and he should have the authority, not only as at present to consult and advise with the Solicitors, but to review and direct their action. They should be required to report to him regularly the condition of the prosecutions in their respective circuits, and to be governed by his instructions whenever he may deem it judicious to issue them. He should also have the power, whenever, in his opinion, the im-

portance of the case requires it, to retain Assistant Counsel, and see that the State is fully and efficiently represented.

I think, also, that a corps of Detective Police Officers should be placed under his control, to be used by him and the Solicitors, as occasion may require. I do not propose that these officers should have any power of arrest.

This responsibility must be assumed by the law officers of the State. But the crimes from which society is suffering can never be suppressed without some efficient organization by which the preliminary investigations can be conducted, the traces of guilt promptly followed up, and such testimony procured as will justify a prosecuting officer in asking from conscientious juries a verdict of conviction. Neither the Attorney-General or the Solicitors can give more than a general superintendence and skillful direction to such investigations; and they need the aid of a body of discreet, practiced and temperate-minded men to perform this important duty. As the Attorney-General and the Solicitors are elected by the people, they have it in their power to select men in whose characters they will find sufficient guarantee that this power will not be abused.

To carry out this plan would require that a contingent fund, sufficient to meet its expense, be placed at the control of the Attorney-General, which I therefore recommend.

I think it proper, also, to call to your attention the fact that the Judicial District in which these disturbances are most flagrant is practically without a Judge. The presiding Judge of that Circuit is now under impeachment before the Senate for high crimes and misdemeanors, and, while it would not become me to anticipate this solemn trial, yet I cannot forbear saying that nothing would contribute more effectively or more speedily to the restoration of order than the presence in the Courts of this Circuit of a Magistrate who shall possess the ability to know his duty, the resolution to do his duty, and that high character which is in itself a pillar of strength to the good, and a living admonition to evil-doers.

Nor can I leave this subject without expressing my regret that the Trial Justices have so signally failed to meet the requirements of their office. In a condition of things such as we now deplore, the preliminary investigation in nearly all the prosecutions of the crimes we wish to suppress is within the province of the Trial Justices, and the prompt and efficient administration of the criminal law is in a large degree dependent upon their ability, discretion and courage—qualities which, I am sorry to say, the system has not developed.

Believing firmly that a vigorous administration of the law will be sufficient to repress crime, I make these recommendations, pledging my-

self that, if it ever shall be found impossible to administer that law, I will come to you for those extraordinary powers which I shall then not hesitate to accept and use.

I have the honor to be,

Very respectfully,

ROBERT K. SCOTT, Governor.

Message No. 18 was read, as follows:

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, January 16, 1871.

To the President of the Senate:

SIR: I have the honor to transmit, for the consideration of the Senate, the accompanying Annual Report of the Trustees of the University of South Carolina.

Very respectfully,

ROBERT K. SCOTT, Governor.

Received as information, and the accompanying documents ordered to be printed.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Resolution requesting the Land Commissioner to inform the Senate what lands have been purchased by him and his predecessor.

On motion of Mr. LESLIE, the further consideration of the Resolution was postponed to January 26th, 1871.

Bill to declare the corporate privileges of the Camden Bridge Company at an end, and vest said privileges in the County of Kershaw.

On motion of Mr. WHITTEMORE, the Bill was read by its title and referred to the Committee on Incorporations.

Bill to amend an Act entitled "An Act to provide for the construction and the keeping in repair of public highways and roads."

On motion of Mr. WHITTEMORE, the Bill was read by its title and referred to the Committee on Incorporations.

On motion of Mr. HAYNE, the Senate proceeded to the consideration of

Report of the Committee on Education on a Bill to amend an Act entitled "An Act to establish and maintain a system of free common schools for the State of South Carolina."

After debate, participated in by Messrs. Hayne, Whittemore, Swails,

On motion of Mr. HAYNE, the Bill was re-committed to the Committee on Education.

E SENATE,

to persons who have been driven

the Resolution was referred to

on a Bill to renew and amend

the further consideration of the
it.

of illegitimate children.

Bill be read by its title and re-

tion of the Senator from Dar-
Judiciary," and inserting in lieu
ms."

the motion of the Senator from
ve.

it entitled "An Act to provide
issioner, and to define his powers

was referred to the Committee on

k and Ladder Company.

was considered as in Committee of

or a third reading.

of a House of Correction.

was read by its title, and referred
try.

he Senate proceeded to the con-

s and Officers on a Bill to amend
isdiction and duties of County

the further consideration of the
, with the Bill, ordered to be

mbia Building and Loan Associ-

as considered as in Committee of

Ordered, That the Bill be engrossed for a third reading.

Joint Resolution (House) authorizing the Executive to commission Ridley K. Carlton as Coroner of Beaufort County.

The Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That the Resolution be engrossed for a third reading.

Bill (House) ceding the jurisdiction of the State of South Carolina to the United States of America over such lands as may be acquired for public purposes by the said United States of America.

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on Public Lands.

Bill (House) to renew and extend an Act to provide a mode by which to perpetuate testimony in relation to deeds, wills, choses in action, and other papers destroyed or lost during the recent war.

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on the Judiciary.

Report of the Committee on Legislative Library on a Joint Resolution authorizing the State Librarian to purchase certain volumes of State Reports.

On motion of Mr. LESLIE, the Resolution was referred to the Committee on the Judiciary.

Report of the Committee on Incorporations on a Bill to recharter the Pumpkintown Turnpike Road.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Report of Committee on Incorporations on a Bill to incorporate the Nashville Independent Blues Charitable Association.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. WHITTEMORE, the title of the Bill was amended by the addition of the words "of the city of Charleston."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

SPECIAL ORDER.

The Senate resumed the consideration of the Special Order for this day, at 2 P. M., to-wit:

JOURNAL OF THE SENATE,
MONDAY, JANUARY 16, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Clerk read the Journal of Saturday.

Mr. ARNIM asked and obtained the unanimous consent of the Senate for a suspension, as to himself, of Rule 6 of the Senate, on account of sickness.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following Message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., January 16, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that Messrs. Briggs, Whipper, and Lee have been appointed a Committee on the part of the House to meet a similar Committee of your honorable body to wait upon the State Treasurer and solicit information as to expenditure of appropriation of \$135,000.

Respectfully yours,

F. J. MOSES, JR.,
Speaker House of Representatives.

The House also sent to the Senate :

A Bill to incorporate the Charleston Cleansing Company, of the City of Charleston ;

A Bill to regulate the right of traverse ;

A Bill to incorporate the South Carolina Saving and Building Association, No. 2.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

PETITIONS, &c.

Mr. LESLIE presented the petition of W. W. Woodward, late Sheriff of Barnwell County, praying that provision be made for compensation for certain services rendered by Sheriffs throughout the State under General and Special Orders from Military Headquarters, Second Military District, series of 1867 and 1868 ; which was referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to incorporate the town of Florence, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. CARDOZO, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification,

Joint Resolution authorizing the County Commissioners of Williamsburg County to levy a special tax ;

An Act supplementary to an Act entitled "An Act to authorize administrators, executors, and other fiduciaries, to sell certain evidences of indebtedness at public sale, and to compromise in certain cases."

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate to assist in the ratification of the above Act and Joint Resolution.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading :

A Bill to repeal so much of an Act entitled "An Act to organize and govern the militia of the State of South Carolina, as provides for the appointment and pay of an Assistant Adjutant-General ;"

A Bill to repeal an Act entitled "An Act to establish a Bureau of Agricultural Statistics."

The above Bills received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to incorporate the Hedges' Light Guard, of Edisto, South Carolina.

The Bill received its third reading.

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled.

BILLS INTRODUCED.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to establish a Normal School in each Congressional District in this State.

A Bill to require County Treasurers to report to the General Assembly.

A Bill to supply the deficiency in the appropriation for the support and maintenance of Free Schools for 1870.

The Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

JOURNAL OF THE SENATE,

also sent to the Senate the following messages :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., January 16, 1871.

Members and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that Messrs. Thompson, Jervey, Briggs, Barker and W. M. Thomas have appointed a Committee on the part of the House to meet a similar Committee appointed by your honorable body to investigate certain affairs at the State Prison.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker House of Representatives.

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., January 16, 1871.

Members and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that Messrs. Dennis, Whipper, Jones, Byas and Corwin have been appointed a Committee on the part of the House to meet a similar Committee appointed by your honorable body to investigate transactions connected with the formation of a Special Committee of Investigation of the Third Congressional District.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker House of Representatives.

also sent to the Senate :

To amend the charter of the town of Spartanburg, S. C.; to empower the County Commissioners of Georgetown County to levy a special tax ;

To regulate and determine what shall constitute a legal day's work in the State.

The Bills received their first reading, were ordered for a second reading on to-morrow, and to be printed.

PETITIONS, &c.

MAN presented a copy of the presentment of the grand jury for the County, at the November Term of the Court of General Sessions and Common Pleas for that County; which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. CORBIN, from the Committee on Privileges and Elections, to whom was referred a Resolution as to the vacancies in the Senate in the Counties of Abbeville, Charleston and Georgetown, reported back the same, accompanied with the opinion of the Attorney-General, and the following Resolution :

Resolved, That a vacancy of Senator exists in each of the Counties, Charleston, Abbeville and Georgetown.

Mr. SMALLS moved that the Rule be suspended, and the Report considered immediately.

Objection being made, the Report was ordered for consideration to-morrow, and to be printed.

Mr. HAYNE, from the Joint Committee on the State Penitentiary, to whom was referred the Senate Concurrent Resolution to investigate certain charges against the Superintendent, submitted the Report of that Committee.

Ordered for consideration to-morrow, and to be printed.

Mr. HAYNE, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification,

An Act to incorporate the Hedges Light Guard, of Edisto, South Carolina.

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate to assist in the ratification of the above Act.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading :

A Bill to amend the charter of the Columbia Building and Loan Association ;

A Bill to incorporate the Rock Hill Hook and Ladder Company.

The above Bills received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to recharter the Pumpkintown Turnpike Road, in Pickens County.

The Bill received its third reading, passed.

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled.

Mr. GREENE, from the Committee on Finance, to whom was referred a Bill to further amend an Act entitled " An Act providing for the assessment and taxation of property, reported back the same, with a recommendation that the Bill do pass, provided the blank space immediately

succeeding the words, "and insert," on the fourth line of the amended clause be supplied by inserting the word "August."

Ordered for consideration to-morrow.

Mr. LESLIE, from the Committee on Contingent Accounts and Expenses, to whom was referred sundry contingent accounts of A. Palmer and others against the Senate, reported back the same, with the recommendation that they be paid.

On motion of Mr. LESLIE, the Rules were suspended, and the Report considered immediately.

. The question was taken on agreeing to the Report, and decided in the affirmative.

BILLS INTRODUCED.

Mr. CORBIN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to amend the charter of the German Evangelical Lutheran Church, of Charleston.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. ARNIM gave notice that he will on to-morrow, or some subsequent day, introduce

A Bill to amend an Act entitled "An Act to regulate the agencies of Insurance Companies not incorporated in the State of South Carolina."

On motion of Mr. SWAILS, the vote whereby the Senate agreed to article XII of the Rules of Procedure and Practice in the Senate when sitting on trials of impeachments, was reconsidered.

On motion of Mr. SWAILS, Rule XII was amended in the third line by inserting after the word "clock" the words "thirty minutes P.," so that the hour for the sitting of the Court of Impeachment should be fixed for 12:30 P. M., instead of 12 M.

Mr. WHITTEMORE asked and obtained the unanimous consent of the Senate to introduce the following as an addition to the Rules of Procedure and Practice in the Senate when sitting on the trial of impeachments, to wit:

RULE XXVI.—The Clerk of the Senate shall administer the oath provided for in the Rules of Practice and Procedure adopted by the Senate, to be administered to the members of the Senate, sitting in the trial of impeachment, to the presiding officer of the Senate, except in cases otherwise provided for in the Constitution of this State.

The question was taken upon agreeing to the Rule and decided in the affirmative.

On motion of Mr. CORBIN, the form of summons to be issued and served upon the person impeached was amended by inserting in the precept thereof, after the first blank, the following words, to wit: "should be put to answer the accusations as set forth in said Articles, and that such proceedings, examinations, trials and judgments might be thereupon had as are agreeable to law and justice; you, the said —————"

RESOLUTIONS.

Mr. NASH introduced the following Resolution :

Resolved, That the Hon. S. A. Swails be brought before the bar of the Senate, and there show cause why he should not be publicly reprimanded for bringing business of the Executive Session before open session of the Senate.

Mr. SWAILS moved that the Rules be suspended; and the Resolution considered immediately.

Objection being made, the Resolution was ordered for consideration to-morrow.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

On motion of Mr. HAYNE, the Senate proceeded to the consideration, out of its order, of

Joint Resolution to withhold the last quarter's salary of School Commissioners who have not made an annual report.

The Joint Resolution received its second reading, and was considered as in Committee of the Whole.

On motion of Mr. HAYNE, the Joint Resolution was amended by striking out, where they occurred, the figures "69," and inserting in lieu thereof the figures "70"

There being no further amendments,

Ordered, That the Joint Resolution be engrossed for a third reading.

On motion of Mr. SMALLS, the Senate proceeded to the consideration, out of its order, of

Resolution that certain Senators be ordered before the Bar of the Senate, and show cause why they should not be punished for contempt.

Mr. SWAILS asked that the Senate resolve itself into Executive Session for the consideration of the above Resolution.

Pending debate, participated in by Messrs. Swails, Smalls, Nash, Hayne, Corbin,

Mr. Whipper then read the following Articles:

ARTICLE I.

That whereas, for the due, faithful and impartial administration of justice, temperance and sobriety are essential qualities in the character and conduct of a Judge, yet the said T. O. P. Vernon, unmindful of the solemn duties of his office, forgetful of the dignity which belonged to his judicial station, and in reckless disregard of that decorum which should ever regulate the conduct of a Judge, in and out of Court, and to the great scandal and detriment to the administration of Justice, has frequently appeared upon the Bench when in a state of drunkenness, and especially did so preside at the regular terms of said Courts, held in the County of Newberry, respectively, to wit: during the regular term commencing in that County on the third Monday of May, A. D. 1870, and also during the regular term in said County, commencing on the third Monday of September, A. D. 1870, when so much under the influence of intoxicating drink as to impair his capacity to discharge generally the duties of his office.

ARTICLE II.

That the said T. O. P. Vernon, Judge as aforesaid, in entire disregard of his duty, as such Judge, and in violation of public decency, order and good morals, and to the great scandal and detriment of the administration of Justice, has, at various times and places, appeared upon the Bench for the discharge of judicial duties, in a condition of gross drunkenness and especially did so preside in the City of Columbia, County of Richland, on or about the 10th day of December, A. D. 1870, upon the hearing of certain cases of *habeas corpus*, when so drunk as to scarcely be able to comprehend the nature of the proceedings then being had before him.

ARTICLE III.

That the said T. O. P. Vernon, Judge, as aforesaid, in entire disregard of his duty, and in violation of public decency, order and good morals, and to the great scandal and detriment to the administration of justice, has, at various times and places, appeared upon the Bench, for the purpose of administering justice, in a state of intoxication, produced by the free and intemperate use of inebriating liquors, and, especially, did so preside, when in that condition, during a term of Court held in the city of Greenville, County of Greenville, in this State, commencing on or about the second Monday in January, A. D. 1870, being to the evil example of all the good citizens of this State, and disgraceful to his own character as a Judge.

ARTICLE IV.

That the said T. O. P. Vernon, in entire disregard of his duty as such Judge, as aforesaid, and in violation of public decency, order and good morals, and to the great scandal and detriment to the administration of justice, during one year now last past, and, while holding said office, had been in the frequent and common habit, while holding the terms of the respective Courts of the Seventh Judicial Circuit of the State of South Carolina, as well as during the vacation of the same, of becoming grossly intoxicated, and exhibiting himself to the public, as well by day as by night, in a state of gross drunkenness.

ARTICLE V.

That the said T. O. P. Vernon, by reason of, and as a consequence of, his intemperate habits and habitual drunkenness, has rendered himself, has been, and is now, utterly incompetent for the proper discharge of the duties of his said office.

ARTICLE VI.

That the said T. O. P. Vernon, for about one year now last past, he being, during the whole of said period, Circuit Judge of the Seventh Judicial Circuit, has wilfully neglected to perform the duties of said office with reasonable diligence, thereby causing great delays in the transaction of the judicial business of his said Circuit, and causing great loss, damage and inconvenience to suitors, jurors and witnesses before the Courts over which he presided, and, especially, at the respective terms of his said Courts, in and for the County of Newberry.

ARTICLE VII.

That, unmindful of the solemn duties of his office, and contrary to the sacred obligation by which he stood bound to discharge them, the said T. O. P. Vernon, Circuit Judge as aforesaid, did, during the month of December, A. D. 1870, issue certain writs, purporting to be writs of *habeas corpus*, which said writs, at the time of their issuance, were in blank, and not addressed to any officer, nor did said writs contain the names of any person or persons, whomsoever, nor was any petition ever presented to him praying for the same; which said writs, purporting to be writs of *habeas corpus*, as aforesaid, were subsequently used by other persons to whom they had been given, filling up the blanks left therein, and by the insertion, by said other persons, in said writs, of the names of parties who were not under any arrest, of which the said T. O. P. Vernon had jurisdiction at the time of the signing and issuance by him of said pretended writs.

ARTICLE VIII.

That whereas, the House of Representatives did, on the 10th day of December, A. D. 1870, pass a Resolution impeaching said T. O. P. Vernon for high crimes and misdemeanors in office ; and whereas, a copy of said Resolution was duly served upon the said T. O. P. Vernon, by the Sergeant-at-Arms of the House of Representatives ; and whereas, the attention of the said T. O. P. Vernon was formally directed to Section 1 of Article VII of the Constitution of the State of South Carolina ; yet, in wilful defiance and disregard of Section 1 of Article VII of said Constitution, the said T. O. P. Vernon did assume to act as Judge, and actually did, illegally and abitrarily, perform judicial duties.

And the House of Representatives, by protestation, saving to themselves the liberty of exhibiting at any time hereafter any further Articles, or other accusations, or impeachment against the said T. O. P. Vernon, and of replying to his answers which he shall make unto the Articles herein preferred against him, and of offering proof to the same, and every part thereof, and to all and every other Article, accusation, or impeachment, which shall be exhibited by them, as the case shall require, demand the said T. O. P. Vernon may be put to answer for the high crimes and misdemeanors in office herein charged against him, and that such proceedings, examinations, trials and judgments may be thereupon had as may be according to law and justice.

After the Articles were read,

On motion of Mr. WHITTEMORE,

Ordered, That a summons do issue as required by the Rules of Procedure and Practice in the Senate when sitting on the trial of impeachments, to T. O. P. Vernon, returnable on Friday, the 20th day of January instant, at 12½ o'clock P. M.

On motion of Mr. WHITTEMORE, at 1:30 P. M., the Senate, sitting as a Court of Impeachment, adjourned until Friday, the 20th instant, at 12:30 P. M.

The Senate resumed the consideration of Legislative Business.

Resolution that certain Senators be ordered before the bar of the Senate, and show cause why they should not be punished for contempt.

The question recurred on agreeing to the Resolution.

After further debate, participated in by Messrs. Swails, Hayne, Arnim, Leslie,

Mr. ARNIM moved that the further consideration of the Resolution be indefinitely postponed.

After further debate, participated in by Messrs. Corbin, Hayne, Wimbush Swails,

The motion to indefinitely postpone was withdrawn.

Nays—Messrs. Bieman, Burroughs, Cardozo, Corbin, Dickson, Greene, Owens, Rose, Swails, Whittemore, Wilson.—11.

So the whole subject matter was ordered to lie on the table.

On motion of Mr. CORBIN, at 3:10 P. M., the Senate adjourned.

WEDNESDAY, JANUARY 18, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, *pro tem.* Hon. C. W. MONTGOMERY.

The Roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by Rev. J. M. Runion.

On motion of Mr. ARNIM, the reading of the Journal of yesterday was dispensed with.

Mr. ARNIM rose to a question of privilege, and desired to state in explanation of his request on the call of the yeas and nays yesterday, to be excused from voting, that he did not desire it to appear on the Journal that he voted for or against a measure in which he was personally interested.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned to the Senate, with amendment,

A Bill to provide for the publication of the Acts, Reports, Resolutions, Journals and other papers of the General Assembly.

On motion of Mr. HAYNE, the amendment was concurred in.

Ordered, That the title of the Bill be changed to that of an Act, and that it be enrolled.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported, as duly and correctly engrossed, and ready for a third reading.

Bill to incorporate the Nashville Independent Blues Charitable Association, of the City of Charleston, South Carolina.

The Bill received its third reading.

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported, as duly and correctly engrossed, and ready for a third reading,

Joint Resolution authorizing the Executive to commission Ridley K. Carlton, as Coroner of Beaufort County.

The Resolution received its third reading.

Ordered, That it be enrolled for ratification.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported, as duly and correctly engrossed, and ready for a third reading,

Joint Resolution to withhold the last quarter's salary for the year 1870 from all County School Commissioners (except the School Commissioner of Newberry County) who have failed to make their annual report to the State Superintendent of Education for the year 1870, in conformity with law.

The Joint Resolution received its third reading, passed, and was ordered to be sent to the House of Representatives.

Mr. OWENS, from the Committee on Roads, Bridges and Ferries, to whom was referred a Bill to recharter Moore's Ferry, under the name of Dinkins' Ferry, over the Catawba River, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to renew the charter of the town of Bamberg, in the County of Barnwell, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. HAYNE, from the Committee on Education, to whom was recommitting a Bill to amend an Act entitled "An Act to establish and maintain a system of free common schools for the State of South Carolina," having had the same under consideration, beg leave to report back the same, accompanied by a substitute, and recommend that the substitute do pass.

Ordered for consideration to-morrow.

Mr. HAYNE, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed and ready for ratification,

An Act to provide for the publication of the Acts, Reports, Resolutions Journals and other papers of the General Assembly ;

An Act to incorporate the Stonewall Fire Engine Company of Chester ;

Joint Resolution authorizing the County Commissioners of Oconee to levy a special tax.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the above Acts and Joint Resolution.

BILLS INTRODUCED.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to amend an Act entitled "An Act to provide for the construction and keeping in repair of public highways and roads ;

A Bill to make an appropriation for the support and maintenance of free schools for the fiscal year commencing November 1st, 1870.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WIMBUSH, on behalf of the Committee on Incorporations, introduced

A Bill to incorporate the Champion Hook and Ladder Company, of Chester.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr ARNIM, pursuant to notice, introduced

A Bill to prohibit the retailing of spirituous liquors during sessions of courts and on sale days.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. WHITTEMORE, on behalf of the Senator from Lancaster, gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Joint Resolution to levy a special tax upon the County of Lancaster.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill authorizing the County Treasurers to take charge of and dispose of the State lands purchased by the Land Commission.

Mr. JOHNSTON gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Joint Resolution for the fitting up of shelves in the Legislative Library.

RESOLUTIONS, &c.

Mr. WHITTEMORE asked and obtained the unanimous consent of the Senate to amend the order for admission to the floor of the Senate during the trial of impeachment, by inserting after the word "use" the following: "Three tickets to the State Land Commissioner, and fifty tickets for the use of the Managers on the part of the House, and fifteen tickets each for the Clerks and Reading Clerks of the Senate and House, and the seats now occupied by the Senators shall be reserved for them."

a Joint Committee consisting of two members of the Senate, and ——— of the House, be appointed, whose duty it shall be to investigate and report to the General Assembly without delay whether such a state of affairs exists in said Counties as would warrant this General Assembly in making application to the Federal Government, pursuant to Section 4, Article 4, of the Constitution of the United States, which declares that “The United States shall, on application of the Legislature, or of the Executive, when the Legislature is not in Session, protect each State of this Union against domestic violence.”

Mr. McINTYRE moved that the Rule be suspended, and the Resolution be considered immediately.

Objection being made, the Resolution was ordered for consideration tomorrow.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Report of the Committee on County Offices and Officers on a Bill to regulate the tenure of certain civil offices.

The Report was read, and Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. ARNIM, Section 2 was amended in the third line printed Bill, by inserting between the words “Senate” and “until” the words “for misdemeanor in office.”

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

Mr. ARNIM gave notice that on the third reading of a Bill to regulate the tenure of certain civil offices, he would move to make certain amendments.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Resolution requesting the Committee on the Judiciary to report a Bill providing for the working of the roads and highways.

On motion of Mr. WHITTEMORE, the Resolution was ordered to lie on the table.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Finance on a Bill to authorize and empower the Board of County Commissioners of Darlington County to borrow \$25,000 to pay off the present indebtedness of the County, and to issue bonds for the same.

The **PRESIDENT** announced that the hour had arrived for the organization of the Senate as a Court of Impeachment for the trial of T. O. P. Vernon, Judge of the Seventh Judicial Circuit, charged with high crimes and misdemeanors.

IMPEACHMENT.

At 1 P. M., the Senate proceeded to organize as a Court of Impeachment for the trial of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of the State of South Carolina.

The President, Hon. A. J. RANSIER, in the chair.

The following oath was administered by the Clerk to the President :

"I solemnly swear, that in all things appertaining to the trial of the impeachment of T. O. P. Vernon, now pending, I will do impartial justice, according to the Constitution and the laws: So help me God."

The same oath was then administered to the following Senators by the President, viz. :

Messrs. Arnim, Barber, Bieman, Burroughs, Cardozo, Corbin, Dickson, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson, Wimbush.

On motion of Mr. WHITTEMORE, the Rules adopted by the Senate in its legislative capacity, were adopted by the Senate in its capacity of a Court of Impeachment.

On motion of Mr. WHITTEMORE,

Ordered, That the Clerk of the Senate notify the House of Representatives that the Senate is now organized for the trial of the Articles of Impeachment against T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina, and is ready to receive the Managers of Impeachment at its Bar.

Mr. SWAILS asked the enforcement of the Rule relative to the admission of persons to the floor of the Senate.

Messrs. Whipper, Crews, Wilkes and Logan, of the Committee of Managers on the part of the House, appeared before the Bar of the Senate.

Mr. Whipper said :

Mr. PRESIDENT—The Managers of the House are now prepared to exhibit specific Articles of Impeachment against T. O. P. Vernon.

The **PRESIDENT** ordered the Sergeant-at-Arms of the Senate to command silence, who made the following proclamation :

"All persons are commanded to keep silence, on pain of imprisonment, while the House of Representatives is exhibiting to the Senate of South Carolina Articles of Impeachment against T. O. P. Vernon."

Mr. Whipper then read the following Articles:

ARTICLE I.

That whereas, for the due, faithful and impartial administration of justice, temperance and sobriety are essential qualities in the character and conduct of a Judge, yet the said T. O. P. Vernon, unmindful of the solemn duties of his office, forgetful of the dignity which belonged to his judicial station, and in reckless disregard of that decorum which should ever regulate the conduct of a Judge, in and out of Court, and to the great scandal and detriment to the administration of Justice, has frequently appeared upon the Bench when in a state of drunkenness, and especially did so preside at the regular terms of said Courts, held in the County of Newberry, respectively, to wit: during the regular term commencing in that County on the third Monday of May, A. D. 1870, and also during the regular term in said County, commencing on the third Monday of September, A. D. 1870, when so much under the influence of intoxicating drink as to impair his capacity to discharge generally the duties of his office.

ARTICLE II.

That the said T. O. P. Vernon, Judge as aforesaid, in entire disregard of his duty, as such Judge, and in violation of public decency, order and good morals, and to the great scandal and detriment of the administration of Justice, has, at various times and places, appeared upon the Bench for the discharge of judicial duties, in a condition of gross drunkenness and especially did so preside in the City of Columbia, County of Richland, on or about the 10th day of December, A. D. 1870, upon the hearing of certain cases of *habeas corpus*, when so drunk as to scarcely be able to comprehend the nature of the proceedings then being had before him.

ARTICLE III.

That the said T. O. P. Vernon, Judge, as aforesaid, in entire disregard of his duty, and in violation of public decency, order and good morals, and to the great scandal and detriment to the administration of justice, has, at various times and places, appeared upon the Bench, for the purpose of administering justice, in a state of intoxication, produced by the free and intemperate use of inebriating liquors, and, especially, did so preside, when in that condition, during a term of Court held in the city of Greenville, County of Greenville, in this State, commencing on or about the second Monday in January, A. D. 1870, being to the evil example of all the good citizens of this State, and disgraceful to his own character as a Judge.

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ARTICLE IV.

. O. P. Vernon, in entire disregard, and in violation of public order, great scandal and detriment to the year now last past, and, while in court and common habit, while in the office of the Seventh Judicial Circuit, during the vacation of the session, exhibiting himself to the public in a state of gross drunkenness.

ARTICLE V.

. O. P. Vernon, by reason of, and on account of, his habits and habitual drunkenness, is now, utterly incompetent for the office.

ARTICLE VI.

T. O. P. Vernon, for about on the whole of said period, Circuit Judge, has wilfully neglected to perform his judicial diligence, thereby causing great judicial business of his said Circuit, and inconvenience to suitors, jurors and witnesses, who he presided, and, especially, and for the County of Newber-

ARTICLE VII.

of the solemn duties of his office, by which he stood bound to do as Circuit Judge as aforesaid, did not, in 1870, issue certain writs, such as writs, at the time of the same, addressed to any officer, nor directed to any person, whomsoever, nor praying for the same; which said writs, as aforesaid, were subsequently had been given, filling up the same by said other persons, in said writs, under any arrest, of which the same, at the time of the signing and

ARTICLE VIII.

That whereas, the House of Representatives did, on the 10th day of December, A. D. 1870, pass a Resolution impeaching said T. O. P. Vernon for high crimes and misdemeanors in office; and whereas, a copy of said Resolution was duly served upon the said T. O. P. Vernon, by the Sergeant-at-Arms of the House of Representatives; and whereas, the attention of the said T. O. P. Vernon was formally directed to Section 1 of Article VII of the Constitution of the State of South Carolina; yet, in wilful defiance and disregard of Section 1 of Article VII of said Constitution, the said T. O. P. Vernon did assume to act as Judge, and actually did, illegally and arbitrarily, perform judicial duties.

And the House of Representatives, by protestation, saving to themselves the liberty of exhibiting at any time hereafter any further Articles, or other accusations, or impeachment against the said T. O. P. Vernon, and of replying to his answers which he shall make unto the Articles herein preferred against him, and of offering proof to the same, and every part thereof, and to all and every other Article, accusation, or impeachment, which shall be exhibited by them, as the case shall require, demand the said T. O. P. Vernon may be put to answer for the high crimes and misdemeanors in office herein charged against him, and that such proceedings, examinations, trials and judgments may be thereupon had as may be according to law and justice.

After the Articles were read,

On motion of Mr. WHITTEMORE,

Ordered, That a summons do issue as required by the Rules of Procedure and Practice in the Senate when sitting on the trial of impeachments, to T. O. P. Vernon, returnable on Friday, the 20th day of January instant, at 12½ o'clock P. M.

On motion of Mr. WHITTEMORE, at 1:30 P. M., the Senate, sitting as a Court of Impeachment, adjourned until Friday, the 20th instant, at 12:30 P. M.

The Senate resumed the consideration of Legislative Business.

Resolution that certain Senators be ordered before the bar of the Senate, and show cause why they should not be punished for contempt.

The question recurred on agreeing to the Resolution.

After further debate, participated in by Messrs. Swails, Hayne, Arnim, Leslie,

Mr. ARNIM moved that the further consideration of the Resolution be indefinitely postponed.

After further debate, participated in by Messrs. Corbin, Hayne, Wimbush Swails,

The motion to indefinitely postpone was withdrawn.

Mr. CORBIN introduced the following as a substitute for the Resolution of the Senator from Williamsburg :

Resolved, That it is the sense of this Senate that no Senator present has a right to refuse to vote when the yeas and nays are ordered.

Pending debate, the Sergeant-at-Arms announced a Message from His Excellency the Governor.

MESSAGE FROM THE GOVERNOR.

Message No. 19 from His Excellency the Governor was presented to the Senate by Mr W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Message related to Executive Business.

The Senate resumed the consideration of the Resolution introduced by the Senator from Charleston as a substitute for the Resolution of the Senator from Williamsburg.

After further debate,

Mr. LESLIE moved, as an amendment to the substitute, the following:

Resolved, That it is the opinion of the Senate that the Senate, while in Executive Session, has power to enforce order and proper discipline, and that in case of contempt charged to have been committed in Executive Session, the same should be disposed of while in such session.

Mr. HAYNE moved that the further consideration of the subject matter be indefinitely postponed, and the Resolution of the Senator from Williamsburg expunged from the Journal.

On the question of agreeing to the motion of the Senator from Marion.

Mr. SWAILS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Arnim, Burroughs, Hayes, Hayne, Holcombe, Johnston, Leslie, Montgomery, McIntyre, Nash.—10.

Nays—Messrs. Cardozo, Corbin, Dickson, Duncan, Duvall, Greene, Owens, Rose, Smalls, Swails, Whittemore, Wilson, Wimbush.—13.

So the motion of the Senator from Marion was not agreed to.

Mr. HAYNE moved that the whole subject matter be ordered to lie on the table.

On the question of agreeing to the motion of the Senator from Marion,

Mr. HAYNE called for the yeas and nays, which were resulted as follows :

Yeas—Messrs. Arnim, Duncan, Duvall, Hayes, Hayne, Johnston, Leslie, Montgomery, McIntyre, Nash, Smalls,

Nays—Messrs. Bieman, Burroughs, Cardozo, Corbin, Dickson, Greene, Owens, Rose, Swails, Whittemore, Wilson.—11.

So the whole subject matter was ordered to lie on the table.

On motion of Mr. CORBIN, at 3:10 P. M., the Senate adjourned.

WEDNESDAY, JANUARY 18, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, *pro tem.* Hon. C. W. MONTGOMERY.

The Roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by Rev. J. M. Runion.

On motion of Mr. ARNIM, the reading of the Journal of yesterday was dispensed with.

Mr. ARNIM rose to a question of privilege, and desired to state in explanation of his request on the call of the yeas and nays yesterday, to be excused from voting, that he did not desire it to appear on the Journal that he voted for or against a measure in which he was personally interested.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned to the Senate, with amendment,

A Bill to provide for the publication of the Acts, Reports, Resolutions, Journals and other papers of the General Assembly.

On motion of Mr. HAYNE, the amendment was concurred in.

Ordered, That the title of the Bill be changed to that of an Act, and that it be enrolled.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported, as duly and correctly engrossed, and ready for a third reading.

Bill to incorporate the Nashville Independent Blues Charitable Association, of the City of Charleston, South Carolina.

The Bill received its third reading.

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported, as duly and correctly engrossed, and ready for a third reading,

Joint Resolution authorizing the Executive to commission Ridley K. Carlton, as Coroner of Beaufort County.

The Resolution received its third reading.

Ordered, That it be enrolled for ratification.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported, as duly and correctly engrossed, and ready for a third reading.

Joint Resolution to withhold the last quarter's salary for the year 1870 from all County School Commissioners (except the School Commissioner of Newberry County) who have failed to make their annual report to the State Superintendent of Education for the year 1870, in conformity with law.

The Joint Resolution received its third reading, passed, and was ordered to be sent to the House of Representatives.

Mr. OWENS, from the Committee on Roads, Bridges and Ferries, to whom was referred a Bill to recharter Moore's Ferry, under the name of Dinkins' Ferry, over the Catawba River, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to renew the charter of the town of Bamberg, in the County of Barnwell, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. HAYNE, from the Committee on Education, to whom was recommitteed a Bill to amend an Act entitled "An Act to establish and maintain a system of free common schools for the State of South Carolina," having had the same under consideration, beg leave to report back the same, accompanied by a substitute, and recommend that the substitute do pass.

Ordered for consideration to-morrow.

Mr. HAYNE, from the Committee on Enrolled Acts and correctly enrolled, sealed and ready for ratification

An Act to provide for the publication of the Acts, Resolutions, Journals and other papers of the General Assembly

An Act to incorporate the Stonewall Fire Engine Company

Joint Resolution authorizing the County Commission to levy a special tax.

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate to assist in the ratification of the above Acts and Joint Resolution.

BILLS INTRODUCED.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to amend an Act entitled "An Act to provide for the construction and keeping in repair of public highways and roads ;

A Bill to make an appropriation for the support and maintenance of free schools for the fiscal year commencing November 1st, 1870.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WIMBUSH, on behalf of the Committee on Incorporations, introduced

A Bill to incorporate the Champion Hook and Ladder Company, of Chester.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. ARNIM, pursuant to notice, introduced

A Bill to prohibit the retailing of spirituous liquors during sessions of courts and on sale days.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. WHITTEMORE, on behalf of the Senator from Lancaster, gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Joint Resolution to levy a special tax upon the County of Lancaster.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill authorizing the County Treasurers to take charge of and dispose of the State lands purchased by the Land Commission.

Mr. JOHNSTON gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Joint Resolution for the fitting up of shelves in the Legislative Library.

RESOLUTIONS, &c.

Mr. WHITTEMORE asked and obtained the unanimous consent of the Senate to amend the order for admission to the floor of the Senate during the trial of impeachment, by inserting after the word "use" the following: "Three tickets to the State Land Commissioner, and fifty tickets for the use of the Managers on the part of the House, and fifteen tickets each for the Clerks and Reading Clerks of the Senate and House, and the seats now occupied by the Senators shall be reserved for them."

JOURNAL OF THE SENATE,
GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

On motion of Mr. HAYNE, the Senate proceeded to the consideration, out of its order, of

Bill to renew and amend the charter of the town of Anderson.

On motion of Mr. HAYNE, the Bill was read by its title, and referred to the Committee on Incorporations.

On motion of Mr. WHITEMORE, the Senate proceeded to the consideration, out of their order, of

Bill to regulate the right of traverse.

Read by its title, and referred to the Committee on the Judiciary.

Bill (House) to incorporate the Charleston Cleansing Company, of the City of Charleston.

Read by its title, and referred to the Committee on Incorporations.

Bill to require County Treasurers to report to the General Assembly.

Read by its title, and referred to the Committee on County Offices and Officers.

Bill to establish a Normal School in each Congressional District in this State.

Read by its title, and referred to the Committee on Education.

Bill to incorporate the South Carolina Saving and Building Association, No. 2.

Read by its title, and referred to the Committee on Incorporations.

Bill to regulate and determine what shall constitute a legal day's labor in this State.

Read by its title, and referred to the Committee on the Judiciary.

Bill to renew and amend the charter of the Town of Spartanburg.

Bill to amend the charter of the German Evangelical Lutheran Church, of Charleston.

Read by their titles, and referred to the Committee on Incorporations.

Bill to amend an Act entitled "An Act to provide for the construction and keeping in repair of Public Highways and Roads."

Bill to prohibit the retailing of spirituous liquors during sessions of Courts, and on sale days

Read by their titles, and referred to the Committee on the Judiciary.

Resolution to request the Judiciary Committee to prepare a Bill to enforce the prompt and thorough collection of the poll tax.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

On motion of Mr. NASH, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Privileges and Elections on a Resolution

vacancies in the Senate in the Counties of Abbeville, Charleston and Georgetown.

The question was taken on agreeing to the Report, and decided in the affirmative.

Mr. WHITTEMORE moved that the Senate do now adjourn.

On the question of agreeing to the motion of the Senator from Darlington,

Mr. CARDOZO called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Barber, Bieman, Burroughs, Corbin, Greene, Hayes, Hayne, Holcombe, Leslie, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson.—18.

Nays—Messrs. Cardozo, Duvall, Johnston.—3.

So the Senate, at 3:30 P. M., adjourned.

FRIDAY, JANUARY 20, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Rev. Mr Bulkley.

On motion of WHITTEMORE, the reading of the Journal of yesterday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

A Bill to alter and amend an Act entitled "An Act to alter and amend the charter and extend the limits of the City of Columbia," approved the 26th of February, 1870.

The Bill received its first reading, was ordered for a second reading and consideration on Monday next, and to be printed.

JOURNAL OF THE SENATE,
REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly Engrossed and ready for a third reading:

A Bill to supply the deficiency in the appropriation for the salary of teachers of free schools of the State of South Carolina.

The Bill received its third reading.

Mr. WHITTEMORE asked the unanimous consent of the Senate that the Rule be suspended, and to amend the Bill, on the third reading, by the addition of the words "said amount to be paid on the order of the Superintendent of Education."

Objection being made to the suspension of the Rule,

On motion of Mr. WHITTEMORE, the Bill was ordered to lie over for a third reading on Monday next.

Mr. WHITTEMORE then gave notice that on the third reading of the above Bill he would move to make sundry amendments.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to regulate the tenure of certain civil offices.

The Bill received its third reading.

Mr. ARNIM, in accordance with previous notice, moved to amend Section 3, on the fourth line, printed Bill, by inserting, after the word "suspended," the words "and transmit to the Senate the reasons of such suspension."

The Bill, as amended, passed, and was ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to empower the County Commissioners of Georgetown County to levy a special tax.

The Bill received its third reading, passed.

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled.

Mr. CARDOZO, from the Committee on Enrolled Acts, reported that the following Acts and Joint Resolutions, having been duly enrolled, sealed and ratified, were presented for approval to His Excellency the Governor on Thursday, January 19, 1871, at 2:30 P. M.:

An Act to provide for the publication of the Acts, Reports, Resolutions, Journals, and other papers of the General Assembly;

An Act to incorporate the Hedges Light Guard, of Edisto, South Carolina;

An Act supplementary to an Act entitled "An Act to authorize administrators, executors and other fiduciaries to sell certain evidences of indebtedness at public sale, and to compromise in certain cases;"

Joint Resolution authorizing the County Commissioners of Williamsburg County to levy a special tax ;

An Act to incorporate the Stonewell Fire Engine Company, of Chester ;

Joint Resolution authorizing the County Commissioners of Oconee County to levy a special tax ;

An Act to re-charter the Pumpkintown Turnpike Road, in Pickens County.

Mr. HAYES, from the Committee on Claims, to whom was referred the account of W. B. Timmons, late Sheriff of Darlington County, reported back the same, with a recommendation that the account be referred to the Comptroller General and the Committee discharged from its further consideration.

Ordered for consideration on Monday next.

Mr. HAYES, from the Committee on Claims, to whom was referred the report of the House Committee on Claims on the account of J. H. Leland, reported back the same, with a recommendation that the Senate do not concur.

Ordered for consideration on Monday next.

Mr. HAYES, from the Committee on Claims, to whom was referred the account of Thomas L. Lewis, reported back the same, with a recommendation that the account be referred to the State Superintendent of Education for adjudication.

Ordered for consideration on Monday next.

Mr. HAYES, from the Committee on Claims, to whom was referred the reports of the House Committee on Claims on accounts of W. T. Bates and J. H. Ashmore, reported back the same, with a recommendation that the Senate do not concur.

Ordered for consideration on Monday next.

Mr. HAYES, from the Committee on Claims, to whom was referred the account of John Dooley, reported back the same, with a recommendation that the account be rejected.

Ordered for consideration on Monday next.

BILLS INTRODUCED.

Mr. SWAILS, pursuant to notice, introduced

A Bill to authorize Clerks of Courts to perform all the duties heretofore performed by Commissioners in Equity, as defined on the first day of January, A. D. 1869 ;

Joint Resolution to vest in the heirs-at-law of Isaac McKnight lands sold for taxes.

The above Bill and Joint Resolution received their first reading, were ordered for a second reading and consideration on Monday next, and to be printed.

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Act to regulate the Agencies of
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The Sergeant-at-Arms announced the presence, at the door of the Senate Chamber, of the House of Representatives.

The House of Representatives, preceded by its Speaker, Clerk and Sergeant-at-Arms, entered the Senate Chamber, and took the seats provided for them.

Managers W. J. Whipper, F. J. Moses, Jr., Joseph Crews, W. D. Wilkes and Aaron Logan, took their seats at the Managers' table.

On motion of Mr. WHITTEMORE, it was

Ordered, That the Sergeant-at-Arms notify all strangers who appear with tickets to occupy seats in the gallery; that the floor of the Senate is to be occupied by members of the Senate and House of Representatives.

The PRESIDENT directed the Sergeant-at-Arms to make proclamation.

The Sergeant-at-Arms made proclamation as follows:

"All persons are commanded to keep silence while the Senate is sitting for the impeachment trial of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of the State of South Carolina."

The PRESIDENT directed the Sergeant-at-Arms to read the return on the writ of summons ordered by the Senate to be issued to T. O. P. Vernon:

The Sergeant-at-Arms read as follows:

The foregoing writ of summons, addressed to T. O. P. Vernon, Judge of the Seventh Judicial Circuit, and the precept addressed to me, were personally served upon T. O. P. Vernon, Judge of the Seventh Judicial Circuit, by delivering to, and leaving with him, a true and attested copy at his residence, at 9:05 P. M., January 17, 1871.

J. E. GREEN,

Sergeant-at-Arms, Senate of South Carolina.

The Clerk then administered the following oath to the Sergeant-at-Arms:

"I, J. E. Green, Sergeant at-Arms of the Senate of South Carolina, do solemnly swear that the return made by me, upon the process issued on the 17th day of January, by the Senate of South Carolina, against T. O. P. Vernon, is truly made, and that I have performed such service as therein described: So help me God."

By direction of the PRESIDENT, the Sergeant-at-Arms proceeded to notify T. O. P. Vernon to appear and answer, either by himself or through counsel, the articles of impeachment, exhibited against him by the House of Representatives of South Carolina.

Thereupon Mr. J. D. Pope appeared at the Bar of the Senate, as counsel for T. O. P. Vernon, and took the seat assigned him.

Mr. WHIPPER, on behalf of the Managers, rose and presented the following:

Mr. PRESIDENT:—The Managers in the case, on behalf of the House of Representatives, announce that they have retained, as Counsel, H. G. Worthington and R. B. Elliott, Esquires, and ask that seats may be assigned them with the Managers.

Mr. Pope, as Counsel for Respondent, submitted a motion that he be allowed until Tuesday next to prepare and file his answer to the articles of impeachment exhibited by the House of Representatives.

On motion of Mr. WHIPPER, on behalf of the Managers, the Respondent was arraigned before the bar of the Senate.

By direction of the PRESIDENT, the Clerk read the articles of impeachment.

Mr. J. D. Pope, Counsel for Respondent, entered to each of the articles a plea of "Not Guilty," with the reservation of the right to enter such further plea as may be decided upon by Respondent.

Mr. WHITTEMORE submitted the following:

Ordered, That the Respondent file answer to the articles of impeachment on or before Tuesday, the twenty-fourth day of the present month.

After argument by Mr. Whipper, on the part of the Managers, and Mr. Whittemore,

The order submitted by the Senator from Darlington was withdrawn.

Mr. WHITTEMORE then submitted the following:

Ordered, That the further hearing of the case of T. O. P. Vernon, Judge of the Seventh Circuit, be adjourned till Tuesday next, at 12:30 o'clock P. M., and that the trial do then proceed.

On the question to agree to said Order,

Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Arnim, Barber, Burroughs, Cardozo, Corbin, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson.—22.

Nays—None.

So the Order was agreed to.

Mr. J. D. Pope, counsel for respondent, desired to inquire of the Court whether the witnesses necessary to be summoned by the defence, in this case, will be put upon the same footing as those summoned as witnesses for the prosecution, and be paid by the State.

After debate, participated in by Messrs. Leslie, Corbin, Whittemore, Mr. WHITTEMORE submitted the following Order:

Ordered, That the witnesses on the part of the prosecution and defence be paid their per diem and mileage by the State.

On the question of agreeing to said Order,

Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Burroughs, Duncan, Duvall, Hayes, Holcombe, Leslie.—7.

Nays—Messrs. Allen, Barber, Cardozo, Corbin, Greene, Hayne, Johnston, Maxwell, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson.—15.

So the Order was not agreed to.

On motion of Mr. WHIPPER, the Sergeant-at-Arms was directed to notify witnesses summoned on the part of the State to appear on Tuesday next, at 12:30 P. M.

On motion of Mr. WHITTEMORE,

Ordered, That the Senate, sitting on the present impeachment, adjourn to the twenty-fourth day of the present month, at twelve o'clock and thirty minutes, afternoon.

The PRESIDENT, at 1:40 P. M., announced the Court of Impeachment adjourned.

The Senate resumed the consideration of Legislative business.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Incorporations on a Bill to incorporate the town of Florence.

The report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Incorporations on a Bill to charter the town of Hamburg.

The report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

SENATE,

a third reading.

Senate proceeded to the con-

support and maintenance of
ing November 1, 1870.

Committee on Education

people of County Auditors and

Committee on County Offices and

Commissioners of Lancaster

five County checks in payment

Committee on Finance.

f the Supreme Court.

Committee on the Judiciary.

to provide for the appointment
powers and duties."

Committee on Public Lands.

N.

Resolution :

, it shall stand adjourned to

ution,

's

ted as follows :

Johnston, Montgomery, Nash,

teene, Hayes, Whittemore.—6.

vent into Executive Session.

SSION.

cutive Session.

, the Senate returned to open

M , the Senate adjourned.

MONDAY, JANUARY 23, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Rev. Mr. Bulkley.

On motion of Mr. HAYNE, the reading of the Journal of Friday was dispensed with.

Mr. WILSON asked and obtained leave of absence for the Senator from Chesterfield until Wednesday next.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate Concurrent Resolution that the General Assembly adjourn *sine die* March 1st, 1871.

On the question of concurring in the Resolution,

After debate, participated in by Messrs. Hayne, Leslie, Swails, Smalls, Mr. SWAILS moved that the Resolution be laid on the table.

On the question of agreeing to the motion of the Senator from Williamsburg,

Mr. LESLIE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Barber, Johnston, Nash, Rose, Swails—6.

Nays—Messrs. Cardozo, Clinton, Corbin, Greene, Hayne, Holcombe, Leslie, Maxwell, Owens, Whittemore, Wilson.—11.

So the Senate refused to lay the Resolution on the table.

The question recurring on concurrence in the Resolution,

Mr. SWAILS moved to amend by striking out the date "March 1st," and inserting in lieu thereof "February 20th."

On the question of agreeing to the motion of the Senator from Williamsburg,

After debate, participated in by Messrs. Leslie, Swails, Corbin, Nash, Mr. LESLIE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas.—Messrs. Arnim, Barber, Cardozo, Clinton, Johnston, Nash, Owens, Swails.—8.

Nays.—Messrs. Allen, Corbin, Greene, Hayne, Holcombe, Leslie, Maxwell, Smalls, Whittemore, Wilson.—10.

So the Senate refused to agree to the amendment offered by the Senator from Williamsburg.

On the question of concurring in the Resolution,

Mr. LESLIE called for the yeas and nays.

JOURNAL OF THE SENATE,

d nays were taken, and resulted as follows:

rs. Allen, Arnim, Barber, Cardozo, Clinton, Corbin, Greene, mbe, Johnston, Leslie, Maxwell, Owens, Smalls, White—16.

rs. Nash, Swails.—2.

ution was concurred in, and ordered to be returned to the representatives.

also sent to the Senate,

Resolution that no person shall hold or receive pay for two departments connected with the General Assembly.

e, participated in by Messrs. Smalls, Hayne, Swails, Leslie, was taken on concurring in the Resolution, and decided ive.

at it be returned to the House of Representatives.

also sent to the Senate,

Resolution requiring certain reports from the State Treasurer, poll tax, &c

E moved that the Resolution be ordered to lie on the table nittee on Education submit their report on a similar Resolutionate referred to that Committee.

was taken on agreeing to the motion of the Senator from decided in the negative.

was taken on concurring in the Resolution, and decided ive.

hat it be returned to the House of Representatives.

also sent to the Senate,

Resolution to appoint a Joint Committee to investigate and disposition of the bonds of the Blue Ridge Railroad Company by the Comptroller-General, according to the provisions ed September 15th, 1868, entitled "An Act to grant additional Blue Ridge Railroad Company, in South Carolina."

f Mr. CORBIN, the blank in the Resolution was filled "two."

on was concurred in, and ordered to be returned to the representatives accordingly.

DENT announced Messrs. Corbin and Nash Committee on Senate, in accordance with the above Resolution, and a nt to the House of Representatives accordingly.

lso sent to the Senate,

Resolution authorizing the Keeper of the State House to ons of coal.

f Mr. NASH, the Resolution was amended by striking out figures "fifty (50,)" and inserting, in lieu thereof, the res "twenty-five (25.)"

On motion of Mr GREENE, the Resolution was further amended by the addition of the following proviso :

“Provided, That the same be paid for out of any money, not otherwise appropriated, upon the warrant of the Comptroller-General, and approved by the Governor.”

The Resolution, as amended, was agreed to, and ordered to be returned to the House of Representatives accordingly.

The House also sent to the Senate

A Bill to incorporate the Scott Rifle Guards, of Sumter ;

A Bill to regulate the manner of drawing Juries.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

The House also sent to the Senate

Report of the Committee on Claims of the House of Representatives, on accounts of R. A. Green, for services rendered as school teacher in Edgefield County ; which was referred to the Committee on Education.

The House also sent to the Senate

Report of the House Committee on Legislative Library, on the account of E. R. Stokes ; which was referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to incorporate the Town of Florence ;

A Bill to charter the Town of Hamburg.

The above Bills received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, and ready for ratification,

An Act to empower the County Commissioners of Georgetown County to levy a special tax.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate, to assist in the ratification of the above Act.

Mr. GREENE, from the Committee on Finance, to whom was referred a Joint Resolution authorizing the County Commissioners of Lancaster County to levy a special tax, reported back the same, with the recommendation that the Resolution do pass.

Ordered for consideration to-morrow.

Mr. CARDOZO, from the Committee on Charitable Institutions, to whom was referred a Concurrent Resolution to afford relief to persons

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n driven from their homes, reported back the same, with a
tion that the Committee be discharged from its further con-

or consideration to-morrow, and to be printed.

NE, from the Committee on Education, to whom was referred
m of the Senator from Charleston for the appointment of a
mittee to inquire what amount has been paid into the Treas-
ax, reported back the same, accompanied with the Report
Treasurer.

or consideration to-morrow, and to be printed.

MIN, from the Committee on the Judiciary, to whom was re-
solution as to the right of Hon. Geo. F. McIntyre to a
enate, reported back the same, with a recommendation that
eclared vacant.

or consideration to-morrow, and to be printed.

ant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Numbers 21 and 22 from His Excellency the Governor were
the Senate by Mr. W. F. Hague, Assistant Private Sec-

o. 21 was read as follows :

STATE OF SOUTH CAROLINA, EXECUTIVE DEPARTMENT, COLUMBIA, January 23, 1871.

able President of the Senate.

re the honor to inform you that the following Acts and Joint
have been approved and signed, to wit :

make appropriation for the payment of the per diem and
he members of the General Assembly, and the salaries of
its officers, and other expenses incidental thereto.

and signed December 23, 1870.

lution authorizing the Attorney-General to employ assistance
its now pending, and making an appropriation to pay the

and signed December 23, 1870.

lution authorizing the County-Commissioners of Williams-
to levy a special tax.

and signed January 19, 1871.

lution authorizing the County Commissioners of Oconee
ry a special tax.

and signed January 23, 1871.

An Act to provide for the publication of the Acts, Reports, Resolutions, Journals, and other papers of the General Assembly.

Approved and signed January 23, 1871.

An Act to incorporate the Stonewall Fire Engine Company, of Chester.

Approved and signed January 23, 1871.

Very respectfully,

ROBERT K. SCOTT, Governor.

Message No. 22 was read, as follows :

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, January 23, 1871.

Gentlemen of the Senate :

I respectfully submit for your consideration the enclosed extract from the Presentment of the Grand Jury of Union County, for January term, 1871, relative to public affairs.

Very respectfully,

ROBERT K. SCOTT, Governor.

The Message and accompanying document were referred to the Committee on Finance.

BILLS INTRODUCED.

Mr. MAXWELL, pursuant to notice, introduced
Joint Resolution authorizing the County Commissioners of Marlboro County to levy a special tax.

The Joint Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. LESLIE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to create the County of Coosawhatchie.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to provide for an enrollment tax ;

A Bill to provide for the incorporation of towns and villages in this State.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. GREENE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to amend an Act entitled "An Act to fix the salaries of certain officers."

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to provide for the manner of contesting elections in this State;

A Joint Resolution to sell the State lands in the County of Darlington for \$4.38 per acre.

Mr. SWAILS gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to make appropriation for the payment of the per diem and mileage of the members of the General Assembly, and the subordinate officers, and other expenses incidental thereto.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M.

Resolution to print one thousand copies of the report of the Commissioner of Agricultural Statistics.

On motion of Mr. WHITTEMORE, the Resolution was referred to the Committee on Agriculture.

RESOLUTIONS.

Mr. CORBIN introduced the following Resolution :

Whereas, the "Charleston Daily News," of January 20, 1871, did publish the following article, which is understood to have come from the pen of the reporter, G. D. Fox, enjoying the privileges of this floor, to wit :

"THE IMPEACHMENT A JOB.—From information not to be doubted, we learn that the impeachment trial has turned into a job which will be put through to the benefit of the Manager on the part of the Senate, Whittemore. It was the desire of all parties to let the matter drop, and allow Judge Vernon to resign, but this Manager has spurred the thing on so hotly that his aims will doubtless be consummated. The sale of the eight hundred tickets per day, as provided by the order, will realize the sum of about as many dollars. If the impeachment lasts six days, \$4,800 will come out of it. Besides this, a Resolution was passed this morning, authorizing the Clerk of the Senate to draw a pay certificate for \$1,500 to pay incidental expenses."

Therefore,

Resolved, That a Special Committee of three, to be appointed by the President, be instructed to inquire into and report upon the truth of the

charges contained in said article, and what action is proper to be taken by the Senate in the premises.

On motion of Mr. CORBIN, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Messrs. Corbin, Holcombe and Maxwell were appointed Committee in accordance with the above Resolution.

GENERAL ORDERS.

The Senat^e proceeded to the consideration of General Orders¹ on the Calendar.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Bill to supply the deficiency in the appropriation for the support and maintenance of free schools for 1870.

The Bill received its third reading.

On motion of Mr. WHITTEMORE, and in accordance with previous notice, the Bill was amended, on the third reading, by the addition of the following proviso:

“Provided, That the foregoing appropriation shall be paid on the order of the State Superintendent of Education, with the approval of the Governor; and no part of said appropriation shall be used for any other purpose than the payment of the salaries of teachers.”

The Bill, as amended, passed, and was ordered to be sent to the House of Representatives.

On motion of Mr. HAYNE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Education on a Bill to amend an Act entitled “An Act to establish and maintain a system of Free Schools for the State of South Carolina.”

The Report was read, and Bill taken up for a second reading.

Mr. SWAILS moved that the further consideration of the Bill be postponed, and be made the Special Order for Friday, at 1 P. M.

Mr. WHITTEMORE moved, as an amendment to the motion of the Senator from Williamsburg, to strike out “Friday,” and insert in lieu thereof “Wednesday.”

On the question of agreeing to the amendment of the Senator from Darlington,

On motion of Mr. SWAILS, the further consideration of the Bill was

postponed, and ordered to be placed on the Calendar as Unfinished Business for Wednesday next.

The Senate proceeded to the consideration of

Report of the Committee on Incorporations on a Bill to incorporate the Moses Guards, of Fairfield County, S. C

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

The Senate proceeded to the consideration of

A Bill to amend the charter of the town of Union.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On the question of agreeing to the amendments reported by the Committee on Incorporations, it was decided in the affirmative.

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. HAYNE, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on Incorporations on a Bill to renew the charter of the town of Bamberg, Barnwell County.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. WHITTEMORE, the Bill was amended by striking out of Section 4 the words "*Magistrate ex officio*," and inserting, in lieu thereof, the words "Trial Justice or other inferior Courts;" also, by striking out, wherever it occurred, the word "*Magistrate*," and inserting, in lieu thereof, the words "Trial Justice or other inferior Courts."

On motion of Mr. WHITTEMORE, Section 6 was amended by striking out the following: "And for that purpose they shall be invested with all the powers, rights and privileges, granted by law to the Commissioners of Roads within the limits of the said town; and, for like neglect of duty, they shall be liable to the pains and penalties imposed by law upon Commissioners of Roads for like neglect."

Pending the further consideration of the Bill,

On motion of Mr. WHITTEMORE,

Ordered, That it be recommitted to the Committee on Incorporations.

On motion of Mr. SMALLS, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Incorporations on a Bill to renew and amend the charter of the town of Mt. Pleasant.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. WHITTEMORE, Section 10 was amended in the sixth line by striking out, before the word "cents," the word "ten," and inserting, in lieu thereof, the word "twenty."

Mr. CORBIN moved to amend by striking out Section 12.

On the question of agreeing to the motion of the Senator from Charleston,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Barber, Cardozo, Clinton, Corbin, Greene, Hayes, Holcombe, Maxwell, Montgomery, Owens, Smalls, Whittemore, Wilson.—14.

Nays—Messrs. Hayne, Johnston, Nash, Smalls.—4.

So the motion of the Senator from Charleston was agreed to.

There being no further amendments,

On the question of ordering the Bill to be engrossed for a third reading,

Mr. CORBIN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Barber, Cardozo, Clinton, Corbin, Greene, Hayes, Holcombe, Maxwell, Montgomery, Owens, Whittemore, Wilson.—13.

Nays—Messrs. Hayne, Johnston, Nash, Smalls.—4.

So the Bill was ordered to be engrossed for a third reading.

On motion of Mr. NASH, the Senate proceeded to the consideration, out of its order, of

Bill (House) to alter and amend an Act entitled "An Act to alter and amend the charter, and extend the limits of the city of Columbia," approved February 26, 1870.

On motion of Mr. NASH, the Bill was read by its title, and referred to the Committee on Incorporations.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of their order, of

Bill to authorize Clerks of Courts to perform all the duties heretofore performed by Commissioners in Equity, as defined on the first day of January, A. D. 1869 ;

Joint Resolution to vest in the heirs-at-law of Isaac McKnight lands for taxes.

Read by their titles, and referred to the Committee on the Judiciary.

Bill (by Mr. Arnim) to amend an Act entitled "An Act to regulate the Agencies of Insurance Companies not incorporated in the State of South Carolina."

Read by its title, and referred to the Committee on Incorporations.

Joint Resolution relative to the re-shelving of the State Library.

Read by its title, and referred to the Committee on Finance.

On motion of Mr. HAYNE, the Senate proceeded to the consideration, out of its order, of

Resolution that Hon. S. A. Swails be brought before the bar of the Senate and show cause why he should not be publicly reprimanded for bringing Executive business before the Senate in open session.

On motion of Mr. HAYNE, the further consideration of the Resolution was indefinitely postponed.

On motion of Mr. HAYNE, at 3 P. M., the Senate adjourned.

TUESDAY, JANUARY 24, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The Roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

On motion of Mr. WHITTEMORE, the reading of the Journal of yesterday was dispensed with.

The Sergeant-at-Arms announced

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. A. O. Jones, Clerk of the House of Representatives, appeared and delivered the following Message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., January 21, 1871.

Mr. President :

The House of Representatives has directed me to lay before your honorable body the following :

Resolved, That a Message be sent to the Senate, by the Clerk of the House, informing the Senate that the House of Representatives has

adopted a replication to the answer and plea of T. O. P. Vernon, Circuit Judge of the Seventh Judicial Circuit of South Carolina, to the articles of impeachment exhibited against him, and that the same will be presented to the Senate by the Managers on the part of the House.

A. O. JONES,
Clerk of the House of Representatives.

The Message was received as information, and ordered to be filed.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,

A Bill to incorporate the Whipper Guards, of Christ Church Parish.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Messages Numbers 23 and 24 from His Excellency the Governor were presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Messages related to Executive Business.

PETITIONS, &c.

Mr. WIMBUSH presented the account of John Lilly, for services and supplies; which was referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred a Bill to regulate and determine what shall constitute a legal day's labor in this State, reported back the same, with a recommendation that the Bill do not pass.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred the following Bills, reported back the same, with a recommendation that the Bills do pass:

Bill to regulate the call of the docket of the Supreme Court;

Bill to prohibit the retailing of spirituous liquors during sessions of Court, and on sales-day;

Bill to regulate the right of traverse.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred a Bill to authorize County Commissioners to assume and pay

obligations contracted under the late Township Act, reported back the same, with a recommendation that the Bill do not pass.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred the Resolution instructing them to inquire and report why the decisions of the Supreme Court have not been published, &c., reported back the same, accompanied by the following Joint Resolution, and a recommendation that the Resolution do pass :

Joint Resolution to provide for the publication of the decisions of the Supreme Court, delivered during the years 1868,—'69 and '70.

The Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred the petition of California Hughes, Thomas M. Pouncey and Viola Pouncey, reported back the same, accompanied by

A Bill to relinquish all the right, title and interest of the State of South Carolina in and to certain real estate whereof one Napoleon B. Pouncey, of Horry, died seized, and vest the same in certain persons therein named.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. MAXWELL, from the Special Committee appointed to inquire into the truth of the charges contained in the article published in the Charleston Daily News, of January 20th, 1871, under the head of "The Impeachment Job," submitted a Report, accompanied by the following Preamble and Resolution :

Whereas, G. D. Fox, Correspondent of the Charleston *Daily News*, heretofore enjoying the full and unrestricted privilege of a reporter upon this floor, has, by his own confession, wantonly trifled with the character and good name of the Senate, and of a Senator upon this floor, by the publication in the Charleston *Daily News*, of the article, on the twentieth of January, entitled "The Impeachment Job"; therefore,

Resolved, That he be expelled from the floor of the Senate.

Mr. MAXWELL moved that the Rule be suspended, and the Report considered immediately.

Objection being made, the Report was ordered for consideration to-morrow, and to be printed.

Mr. WIMBUSH, on behalf of the Committee on Contingent Accounts and Expenses, to whom was referred the accounts of W. B. Stanley, George Symmers, A. H. Kayden, and others, reported back the same, with a recommendation that they be paid.

On motion of Mr. WIMBUSH, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

Mr. OWENS, from the Committee on Printing, to whom was referred the account of Julian A. Selby, for public printing, reported back the same, with a recommendation that the claim, amounting to seven hundred and eighty-five dollars, be paid.

Ordered for consideration to-morrow.

Mr. GREENE, from the Committee on Finance, to whom was referred a Joint Resolution relative to the re-shelving of the State Library, reported back the same, with a recommendation that the Resolution do pass, amended as follows:

1st. Strike out the word "Legislative," on the 5th line of 1st Section, and in lieu thereof insert the word "State."

2d. After the word "Library," on the 5th and 6th line of said Section, add the following: "The work to be done under the direction of the State Librarian."

3d. Add to the end of said Section "upon the warrant of the Comptroller-General, approved by the Governor."

Ordered for consideration to-morrow.

Mr. GREENE, from the Committee on Finance, to whom was referred a Bill to require and compel County Treasurers to receive County checks or warrants in payment for County taxes and other purposes, reported back the same, with a recommendation that the Bill do pass, with the following amendments:

At the end of Section 1 add the following proviso: "*Provided*, If the said County checks or warrants shall amount to more than the tax due, the amount of the said tax shall be endorsed on the back of the said checks or warrants."

2d. Strike out the word "first," on the second line of the second Section, and, in lieu thereof, insert the word "fifteenth."

3d. Strike out the words "a Court of Sessions," on the fifth line of the fourth Section, and, in lieu thereof, insert the words "any Court of competent jurisdiction."

Ordered for consideration to-morrow.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

On motion of Mr. GREENE, the vote whereby the Senate agreed to House Concurrent Resolution authorizing the Keeper of the State House to purchase fifty tons of coal, was reconsidered.

On motion of Mr. GREENE, the Resolution was ordered to lie on the table.

ORDER FOR ADMISSION TO THE FLOOR OF THE SENATE

Mr. WHITTEMORE submitted the following Order:

Ordered, That the Sergeant-at-Arms of the Senate be instructed to provide seats for the Members of the House of Representatives outside the bar of the Senate, during the trial of impeachment now pending: and no persons beside those who have the privilege of the floor of the Senate, and Clerks of the Standing Committees of the Senate, and Reporters for the Press, shall be admitted within the bar of the Senate.

On motion of Mr. SWAILS, the Rule was suspended, and the Order considered immediately.

The question was taken on agreeing to the Order, decided in the affirmative, and the Sergeant-at-Arms instructed accordingly.

Mr. NASH moved that the Senate reconsider the vote whereby the Order instructing the Sergeant-at-Arms to provide seats for the members of the House of Representatives outside the bar of the Senate during the trial of impeachment was agreed to.

Mr. SWAILS moved that the motion of the Senator from Richland be laid on the table.

On the question of agreeing to the motion of the Senator from Williamsburg,

Mr. SMALLS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Duncan, Foster, Greene, Owens, Swails, Whittemore.—7.

Nays—Messrs. Arnim, Bieman, Cardozo, Clinton, Hayne, Johnston, Maxwell, Nash, Smalls, Wimbush.—10.

So the Senate refused to lay the motion of the Senator from Richland on the table.

The question recurred on agreeing to the motion of the Senator from Richland.

Pending debate, participated in by Messrs. Whittemore, Nash,

The PRESIDENT announced that the hour of 12:30 P. M. had arrived, and that, under the Order of the Senate, the Legislative Business of the Senate was suspended.

COURT OF IMPEACHMENT.

The Senate, sitting for the trial of the impeachment of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina, resumed its session.

Hon. A. J. RANSIER, President, in the chair.

By direction of the PRESIDENT, the Sergeant-at-Arms made proclamation.

The Clerk of the Senate proceeded to the House of Representatives, and informed that body that the Senate is in its chamber, ready to proceed with the trial of T. O. P. Vernon, and invites the presence of the Managers and members of the House of Representatives.

Mr. Manager Whipper appeared at the bar of the Senate, and asked of the Court, on behalf of his associates, an intermission of thirty minutes.

On motion of Mr. WHITTEMORE,

Ordered, That the Court take a recess for thirty minutes.

Thereupon, the Court, at 12:40 P. M., took a recess for thirty minutes.

The Senate resumed the consideration of Legislative Business

The question recurred on agreeing to the motion of the Senator from Richland, to reconsider the vote whereby the Senate agreed to the order instructing the Sergeant-at-Arms to provide seats for the members of the House of Representatives outside the bar of the Senate, during the trial of impeachment.

On the question of agreeing to the motion of the Senator from Richland,

Mr. NASH called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Arnim, Barber, Cardozo, Clinton, Duncan, Foster, Hayes, Nash, Smalls, Wimbush.—10.

Nays—Messrs. Bieman, Greene, Maxwell, Owens, Whittemore, Wilson.—7.

So the motion to reconsider was agreed to.

On the question of agreeing to the Order,

Mr. SMALLS moved that it be ordered to lie on the table.

On the question of agreeing to the motion of the Senator from Beaufort,

Mr. SWAILS called for the yeas and nays

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Arnim, Barber, Cardozo, Clinton, Duncan, Hayes, Johnston, Nash, Smalls, Wimbush.—10.

Nays—Messrs. Bieman, Foster, Greene, Maxwell, Owens, Whittemore, Wilson.—7.

So the motion of the Senator from Beaufort, that the order be laid on the table, was agreed to.

BILLS INTRODUCED.

Mr. HAYNE, pursuant to notice, introduced

A Bill to incorporate the Mars Bluff Sons of Benevolence Association.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. GREENE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Joint Resolution authorizing the Keeper of the State House to purchase fifty tons of coal.

The Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced

Joint Resolution to sell the State lands in the County of Darlington for four dollars and thirty-eight cents (\$4.38) per acre.

The Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to amend Section 3 of an Act entitled "An Act to determine and perpetuate the homestead."

The Bill received its first reading, was ordered for a second reading, and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. SWAILS gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to vest in the Charleston Land Company the charter of a Ferry from Hamlin's wharf, in the city of Charleston, to certain points on the Wando River.

Mr. DUNCAN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill providing for the taxation of fire arms.

RESOLUTIONS.

Mr. OWENS introduced the following Resolution :

Resolved, That the Clerk of the Senate be authorized to draw a pay certificate for four thousand dollars, on account of current printing.

Mr. OWENS moved that the Rule be suspended and the Resolution considered immediately.

Objection being made, the Resolution was ordered for consideration to-morrow.

GENERAL ORDERS.

The Senate proceeded to the consideration of General Orders on the Calendar.

On motion of Mr. HAYNE, the Senate proceeded to the consideration out of its order, of

Bill to regulate the manner of drawing Juries.

On motion of Mr. HAYNE, the Bill was read by its title, and referred to the Committee on the Judiciary.

On motion of Mr. MAXWELL, the Senate proceeded to the consideration, out of its order, of

Joint Resolution authorizing the County Commissioners of Marlboro County to levy a special tax.

The Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That the Resolution be engrossed for a third reading.

The Senate proceeded to the consideration of

Report of Committee on Claims and Grievances on petition of John McRae.

The question was taken on agreeing to the Report, and decided in the affirmative.

On motion of Mr. HAYNE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Finance on a Bill to further amend an Act entitled "An Act providing for the assessment and taxation of property."

The Report was read, and the Bill taken up for a second reading.

Pending the consideration of Section 1,

The Sergeant-at-Arms announced

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. A. O. Jones, Clerk of the House of Representatives, appeared at the bar of the Senate and delivered the following message:

Mr. President:

The House of Representatives has directed me to inform your honorable body that an official notification of the resignation of T. O. P. Vernon, Judge of the Seventh Judicial Circuit, has been received.

COURT OF IMPEACHMENT.

The thirty minutes for which the Court had taken a recess having expired,

The Senate resumed its sitting, as a Court of Impeachment, for the trial of T. O. P. Vernon.

The Managers on the part of the House of Representatives, Messrs. Whipper, Crews, Wilkes, Logan, accompanied by their counsel, Messrs.

Worthington and Elliott, entered the Senate Chamber, and took their seats at the Manager's table.

The Counsel of T. O. P. Vernon, Messrs. Pope and Haskell, appeared at the bar of the Senate and took their seats.

Mr. Manager Whipper read the following replication agreed to by the House of Representatives.

REPLICATION,

By the House of Representatives of the State of South Carolina to the answer and plea of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of the State of South Carolina, to the articles of impeachment exhibited against him by the said House of Representatives.

The House of Representatives of the State of South Carolina having considered the answer and plea of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of the State of South Carolina, to the articles of impeachment against him by them, exhibited in the name of themselves and of all the people of the State, reply that the said T. O. P. Vernon is guilty in such a manner as he stands impeached, and that the House of Representatives are ready to prove the same.

On motion of Mr. WHITEMORE,

Ordered, That the Managers furnish Counsels for respondent an authentic copy of the replication.

Mr. Manager Whipper then read the following Preamble and Resolution, agreed to by the House of Representatives :

Whereas, this House has been officially informed that T. O. P. Vernon, Judge of the Seventh Judicial Circuit, has resigned his position as Judge aforesaid; therefore,

Resolved, That this House instruct the Clerk to notify the Senate of the same, and also instruct the Managers of impeachment of T. O. P. Vernon to ask leave of the Senate to withdraw the articles of impeachment against the said T. O. P. Vernon.

Mr. WHIPPER, in accordance with the above Resolution, asked leave of the Senate to withdraw the articles of impeachment exhibited by the House of Representatives, against T. O. P. Vernon.

The PRESIDENT stated the question to be. Will the Court suspend its proceedings in the trial of T. O. P. Vernon, to consider the Resolution presented by the Managers on the part of the House of Representatives?

Mr. WHITEMORE moved that the Senate retire in order to consider the information presented by the Honorable Managers on the part

of the House of Representatives, as to the withdrawal on the part of the House of Representatives of the articles of impeachment exhibited against T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina.

On the question to agree thereto,

After argument by counsel for Managers, Mr. Worthington, and Managers Whipper and Wilkes,

Mr. HAYNE moved that the motion of the Senator from Darlington be laid on the table.

On the question to agree thereto, Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Bieman, Foster, Hayne, Johnston, Smalls, Wilson.—7.

Nays—Messrs. Arnim, Barber, Cardozo, Clinton, Duncan, Greene, Maxwell, Nash, Swails, Whittemore, Wimbush.—11.

So the Senate refused to lay on the table the motion of the Senator from Darlington

Mr. HAYNE moved, as a substitute for the motion of the Senator from Darlington, that the Managers' request, on the part of the House of Representatives, be granted.

On the question of agreeing to the motion of the Senator from Marion, offered as a substitute for the motion of the Senator from Darlington,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Arnim, Barber, Bieman, Cardozo, Duncan, Foster, Greene, Hayes, Hayne, Johnston, Leslie, Nash, Smalls, Whittemore, Wilson, Wimbush.—17.

Nays—Messrs. Clinton, Owens, Swails.—3.

So the motion of the Senator from Marion was agreed to.

The question was then taken upon agreeing to the substitute.

On the question to agree, Mr. SMALLS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Arnim, Barber, Bieman, Cardozo, Clinton, Duncan, Foster, Greene, Hayes, Hayne, Johnston, Leslie, Maxwell, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson, Wimbush.—22.

Nay—None

So the Senate agreed to the substitute, and the request of the Managers, on the part of the House of Representatives, to withdraw the articles of impeachment, was granted

The Board of Managers, having no further business, asked and obtained leave to withdraw.

Mr. WHITTEMORE submitted the following Order :

Ordered, That the witnesses summoned on behalf of the State in the impeachment trial be paid the sum of three dollars per diem, and a mileage of five cents per mile for travel.

The Order was subsequently withdrawn.

Mr. HAYNE offered the following, which was considered immediately and agreed to:

Resolved, That the Senate, sitting as a Court of Impeachment, do adjourn *sine die*.

Thereupon,

The PRESIDENT announced the Court of impeachment for the trial of T. O. P. Vernon adjourned *sine die*.

The Senate resumed the consideration of Legislative Business.

On motion of Mr. ARNIM, the Senate resolved itself into

EXECUTIVE SESSION.

At 1:45 P. M. the Senate went into Executive Session.

After the disposal of Executive Business the Senate returned to open session.

On motion of Mr. HAYNE, the Sergeant-at-Arms was instructed to allow the desks to remain in their present positions.

On motion of Mr. WHITTEMORE, at 2 P. M., the Senate adjourned.

WEDNESDAY, JANUARY 25, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the Hon. C. W. MONTGOMERY, President *pro tem*.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by Rev. Dr. Comings.

On motion of Mr. HAYNE, the reading of the Journal of yesterday was dispensed with.

Mr. ARNIM asked and obtained leave of absence for the Senator from Horry for five days, on account of illness in his family.

Mr. WHITTEMORE asked and obtained leave of absence for the Senator from Charleston for five days, on account of important business.

REPORTS OF COMMITTEES.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed and ready for ratification,

Joint Resolution for the relief of S. Cochran, T. Cochran, Elizabeth Cochran, Juliana Irvine, Isabella Irvine and Henrietta Irvine.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the said Joint Resolution.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred the following Bills, reported back the same, with a recommendation that the Bills do pass:

A Bill to amend an Act entitled "An Act to regulate the agencies of Insurance Companies not incorporated in the State of South Carolina;"

A Bill to incorporate the Charleston Cleansing Company, of the city of Charleston;

A Bill to renew and amend the charter of the town of Spartanburg.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Joint Resolution authorizing the County Commissioners of Marlboro County to levy a special tax.

The Joint Resolution received its third reading, passed, and was ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to incorporate the Moses Guards, of Ridgeway, Fairfield County, South Carolina.

The Bill received its third reading, passed,

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to renew and amend the charter of the town of Bamberg, S. C., reported back the same, accompanied by a substitute, and a recommendation that the substitute do pass.

Ordered for consideration to-morrow, and to be printed.

BILLS INTRODUCED.

Mr. SWAILS, pursuant to notice, introduced

A Bill to make appropriation for the payment of the per diem and mileage of the members of the General Assembly, and the subordinate officers, and other expenses incidental thereto;

A Bill to vest in the Charleston Land Company the charter of a ferry

from Hamlin's Wharf, in the city of Charleston, to the following points on the Wando River, to wit: Scanlonsville, Remley's Point, Venning's Landing and Daniel's Island Landing.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. DUNCAN, pursuant to notice, introduced

A Bill to provide for the taxation of fire arms.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. LESLIE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to more effectually provide for the recording of all conveyances of real estate.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed

Mr. GREENE, pursuant to notice, introduced

A Bill to amend an Act entitled "An Act to fix the salaries and regulate the pay of certain County officers."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. ARNIM gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to amend Section 17, Title 3, of an Act entitled "An Act to revise, simplify and abridge the rules, practice, pleadings and forms of Courts in this State."

Mr. WIMBUSH gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to amend the law whereby the State was divided into Judicial Circuits.

Mr. NASH gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to abolish the Seventh Judicial Circuit of this State, and to assign the Counties thereof to the Fifth, Sixth and Eighth Circuits.

Mr. BIEMAN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill incorporating the Tugaloo and Chattanooga Railroad Company.

Mr. DUVALL gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to incorporate the town of Chesterfield.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No. 25 from His Excellency the Governor was presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Message related to Executive Business

UNFINISHED BUSINESS.

The Senate resumed the consideration of the Unfinished Business, to wit:

Bill to further amend an Act entitled "An Act providing for the assessment and taxaton of property."

The Bill received its second reading. was considered as in Committee of the Whole, and by Sections.

On motion of Mr. WHITTEMORE, the Bill was amended by prefixing before the word "That" in the first paragraph after the enacting clause the word and figure "Section 1."

On motion of Mr. WHITTEMORE, Section 1 was amended by inserting after the words "County Commissioners" the words "also strike out of Section 66, line two, the words 'sixty-eight,' and inesrt 'seventy-one.'"

On motion of Mr. WHITTEMORE, Section 1 was further amended by inserting after the word "October" the words "also strike out the words 'sixty-eight,' wherever they occur in the Section, and insert 'seventy-three;'" also, by inserting between the fifty-third and fifty-fourth lines of Section 1 the words "strike out from Section 75, line 20, the word 'January,' and insert 'November;'" also, by striking out of line 74 of Section 1 the word and figures "the 30th," and insert after the word "November" the word "twentieth;" also, by striking out of line 83 the word and figures "December 20th," and insert, in lieu thereof, "November 20th;" also, to insert on line 98, Section 1, after the word "August" the following:

Add to Section 145 the following words:

"The State Auditor is hereby authorized to have the City of Charleston surveyed and numbered, and to place the numbers in a conspicuous place in front of the buildings or lots; and it shall be a penal offence for the landlord, agent, or tenant to remove the same."

On motion of Mr. WHITTEMORE, the Bill was further amended by prefixing at the commencement of paragraph, line No. 103, the words and figures "Section 2;" also, by prefixing to the last paragraph in the Bill the word and figure "Section 2."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day at 1 P. M., to-wit:

Report of the Committee on Finance on a Bill to increase the salaries of the Justices of the Supreme Court.

The Report was read.

On the question to agree thereto,

Mr. LESLIE moved that the further consideration of the Report and Bill be postponed, and made the Special Order for Wednesday next, January 31, 1871, at 1 P. M.

After debate, participated in by Messrs. Leslie, Whittemore, Wimbush, Nash,

The question was taken on agreeing to the motion of the Senator from Barnwell, and decided in the affirmative.

GENERAL ORDERS.

The Senate proceeded to the consideration of General Orders on the Calendar.

On motion of Mr. ARNIM, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Finance on a Bill to repeal an Act to provide for a sinking fund and the management of the same.

The Report was read.

On motion of Mr. WIMBUSH, the Report and Bill were taken up together for consideration

After debate, participated in by Messrs. Arnim, Leslie, Wimbush,

Mr. LESLIE moved that the further consideration of the Report and Bill be postponed, and made the Special Order for Saturday next, January 28th, at 1 P. M.

After further debate, participated in by Messrs. Wimbush, Arnim, Nash,

The motion of the Senator from Barnwell was withdrawn.

The Bill received its second reading.

Mr. LESLIE moved that the further consideration of the Bill be postponed, and made the Special Order for Tuesday next, at 1 P. M.

After further debate, participated in by Messrs. Greene, Leslie,

The question was taken on agreeing to the motion of the Senator from Barnwell, and decided in the affirmative.

The Senate proceeded to the consideration of

Report of Committee on Incorporations on a Bill to incorporate the Charleston Riflemen Club.

The Report was read, and Bill taken up for a second reading

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. WIMBUSH, Section 2 was amended, in the twelfth line, by filling the blank with the words "ten thousand."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. SMALLS, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on Privileges and Elections on the right of the Hon. George F. McIntyre to a seat in the Senate.

The Report was read :

Mr. LESLIE offered the following :

Whereas the Committee on Elections, to whom was referred the Resolution touching the question of the right of the Hon. Geo. F. McIntyre to a seat on the floor as Senator elect from Colleton has made an adverse Report, and against the right of the said McIntyre to hold said seat; and whereas the Senate are anxious to vote understandingly, and in accordance with the requirements of the Constitution and law in the premises; therefore,

Be it resolved by the Senate, That the Resolution of enquiry touching the right of the Hon. George F. McIntyre to a seat on this floor as Senator from Colleton, together with the Report of the Committee on Elections concerning the same, be referred to the Hon. D. H. Chamberlain, Attorney-General, with the respectful request that he furnish the Senate with his opinion concerning the same, at as early a day as practicable, and that the Report of the Committee on Elections stand over until such opinion shall have been given.

The question was taken on agreeing to the Resolution of the Senator from Barnwell, and decided in the affirmative.

Ordered, That the Clerk of the Senate transmit a copy of the above Resolution, together with a copy of the Report of the Committee on Privileges and Elections, to Hon. D. H. Chamberlain, Attorney-General, for his opinion.

On motion of Mr. MAXWELL, the Senate proceeded to the consideration, out of its order, of

Report of Special Committee appointed to inquire into the truth of the charges contained in an article published in the Charleston Daily News, under the head of "Impeachment, a Job."

The Report was read, and taken up for consideration.

On the question to agree thereto,

After debate, participated in by Messrs. Leslie, Maxwell, Smalls, Arnim, Whittemore,

Mr. SMALLS moved that the Report be laid upon the table.

The motion of the Senator from Beaufort was subsequently withdrawn.

Mr. MAXWELL moved that so much of the Report of the Committee as refers to the untruthfulness of the charge made by G. D. Fox in the article headed "Impeachment, a Job," with a letter of G. D. Fox to the Chairman of the Senate Special Investigating Committee, in explanation of said charges, be entered on the Journal, and received as an apology therefor.

On the question of agreeing to the motion of the Senator from Marlboro,

Mr. WHITTEMORE moved to amend by the addition of the following:

"Your Committee made further inquiries relative to the matter, and have been able to find no evidence whatever of the truth of said charges.

"Your Committee have been informed by another reporter upon this floor, of good character and standing, that he was present at the time Mr. Fox wrote the article, and was told by Mr. Fox, at the time, that he wrote it for the purpose of creating a sensation; that there was no truth in it whatever."

The amendment was accepted.

On the question of agreeing to the motion of the Senator from Marlboro, as amended.

After debate, participated in by Messrs. Whittemore, Arnim, Montgomery, Leslie,

The motion of the Senator from Marlboro was withdrawn.

Mr. SWAILS offered the following:

Resolved, That the Report of the Special Committee stand over for five days, with the view to enable the reporter of the Charleston Daily News, G. D. Fox, to make a full and proper apology.

The question was taken upon agreeing to the Resolution of the Senator from Williamsburg, and decided in the affirmative.

So the further consideration of the Report was postponed for five days.

On motion of Mr. JOHNSTON, the Senate proceeded to the consideration, out of its order, of

Resolution authorizing Clerk of the Senate to draw pay certificate on account of current printing.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

RESOLUTIONS.

Mr. WIMBUSH introduced the following Resolution :

Resolved by the Senate, the House of Representatives concurring, That a Committee of three be appointed on the part of the Senate, and——— on the part of the House of Representatives, to investigate, thoroughly, the operations of the Sinking Fund Commission, and that they have power to examine said Commissioners under oath, to compel them to produce all records, books, papers, documents and other written evidence which in anywise appertain or refer to the transactions of said Commission, and that said Committee be directed to report to the General Assembly within five days.

On motion of Mr. WIMBUSH, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

On motion of Mr. OWENS, at 3 P. M., the Senate adjourned.

THURSDAY, JANUARY 26, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the Hon A. J. RANSIER, President.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

On motion of Mr. HAYNE, the reading of the Journal of yesterday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate :

Bill to amend the charter of the Columbia Building and Loan Association ;

Bill to amend an Act entitled "An Act to regulate the fees of Probate Judges, Clerks of Courts, Trial Justices, Magistrates and other officers therein named ;"

Bill to incorporate the Logan Fusileers, of the Parish of St. Thomas and St. Dennis, Charleston County ;

Bill to incorporate the Salamander Hook and Ladder Company, of Georgetown, S. C ;

Bill to protect the right of parents, and to prevent the procuring and carrying from the State persons under the age of twenty-one years ;

Joint Resolution directing that fund known as Canby School Fund remaining in the hands of the County Treasurers, be appropriated to the Free School Fund ;

Joint Resolution ordering that the Hon. James L. Orr, Judge of the Eighth Judicial Circuit, be allowed extra compensation for holding extra Courts ;

Joint Resolution to appoint Trustees for the De La Howe Free School, Abbeville County ;

Joint Resolution authorizing A. B. Taylor, Henry Arthur and others, to continue, for a term of two years, two gates erected by them across the old State Road, in Lexington County, at the beginning and terminus of their planting lands.

The above Bills and Joint Resolutions received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

The House sent to the Senate

Report of the House Committee on Claims on the account of F. H. Frost ; which was referred to the Committee on Claims ;

Report of the House Committee on the account of J. B. Erwin ; which was referred to the Committee on Claims.

The House returned to the Senate

An Act to repeal so much of an Act of 1839 as prohibits the Clerks of the Courts of the State from acting as Attorneys and Solicitors in the Courts of the State.

Ordered, That it be enrolled.

The House also sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., January 26, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that the enacting clause of " A Senate Bill to amend the charter of the Town of Abbeville " has been stricken out by the House of Representatives.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker House of Representatives.

PETITIONS, &c.

Mr. SWAILS presented the petition of the County Commissioners of Williamsburg County, praying that they be authorized to borrow a sufficient sum of money, on the best terms practicable, to pay up and liquidate the indebtedness of said County now existing, and to give the bonds of the County, payable in not more than ten years; which was referred to the Committee on Finance, and ordered to be printed.

REPORTS OF COMMITTEES.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to amend an Act entitled "An Act to alter and amend the Charter and extend the limits of the City of Columbia," approved 26th of February, 1870, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Public Lands, to whom was referred a Bill ceding the jurisdiction of the State of South Carolina, to the United States of America, over such lands as may be acquired, for public purposes, by the said United States of America," reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Public Lands, to whom was referred a Bill to dispose of the lands forfeited to the State, reported back the same, with a recommendation to strike out before the enacting clause the words "and to create a School Fund from the sales of the same," and that the Bill so amended do pass.

Ordered for consideration to-morrow.

RATIFICATION OF ACTS.

The Speaker of the House of Representatives attended in the Senate, when the following Act and Joint Resolution were duly ratified:

An Act to empower the County Commissioners of Georgetown County, to levy a special tax;

Joint Resolution for the relief of S. Cochran, T. Cochran, Elizabeth Cochran, Juliana Irvine, Isabella Irvine and Henrietta Irvine.

REPORTS FROM COMMITTEES.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported that the following Act and Joint Resolution, having been duly enrolled, sealed and ratified, were presented for approval to His Excellency the Governor, January 26, 1871, at 12:50 P. M.:

An Act to empower the County Commissioners of Georgetown County to levy a special tax;

Joint Resolution for the relief of S. Cochran, T. Cochran, Elizabeth Cochran, Juliana Irvine, Isabella Irvine and Henrietta Irvine.

BILLS INTRODUCED.

Mr. BIEMAN, pursuant to notice, introduced

A Bill to authorize the formation of and to incorporate the Tugaloo and Chattanooga Railroad Company.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. NASH, pursuant to notice, introduced

A Bill to abolish the Seventh Judicial Circuit, and to assign the Counties thereof to the Fifth, Sixth and Eighth Circuits.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to enforce the payment of the poll tax and road tax.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. HAYES, pursuant to notice, introduced

A Bill to amend an Act entitled "An Act to provide for the appointment of Trial Justices."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. SMALLS asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to incorporate the Beaufort Railway Company;

A Bill to amend Section 279 of an Act entitled "An Act to revise, simplify and abridge the Rules, Practice, Pleadings and Forms of the Courts in this State."

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, introduce

A Bill to create an Agricultural Department of the Claflin University;

A Bill to authorize the County Treasurers to receive in payment for County taxes jury and witness' tickets;

A Bill to require the County Commissioners to report to the General Assembly on or before December 15 of each year.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Bill (by Committee on Incorporations) to incorporate the Champion Hook and Ladder Company, of Chester.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. HAYNE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on the Judiciary on a Bill to prohibit the retailing of spirituous liquors during sessions of Courts and sales-days.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. SWAILS moved to amend Section 1, in the third line, by striking out the words "except the Counties of Charleston and Richland"

After debate, participated in by Messrs. Nash, Arnim and Swails,

Mr. LESLIE moved that the further consideration of the Bill be indefinitely postponed.

After further debate, participated in by Messrs. Leslie, Hayne, the motion of the Senator from Barnwell was withdrawn.

On motion of Mr. HAYNE, the enacting clause of the Bill was stricken out.

On motion of Mr. HAYNE, the Senate proceeded to the consideration, out of their order, of

Bill to incorporate the Mars Bluff Sons of Benevolence Association ;

Read by its title, and referred to the Committee on Incorporations.

Bill to create the County of Coosawhatchie ;

Read by its title, and referred to the Committee on the Judiciary.

On motion of Mr. SWAILS, the Senate proceeded to the consideration, out of their order, of

Bill (House) to incorporate the Whipper Guards, of Christ Church Parish.

Read by its title, and referred to the Committee on Incorporations.

Joint Resolution to sell the State lands in the County of Darlington for \$4 38 per acre.

Read by its title, and referred to the Committee on Public Lands.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Bill to amend Section 3 of an Act entitled "An Act to determine and perpetuate the homestead."

Read by its title, and referred to the Committee on the Judiciary.

On motion of Mr. HAYNE, the Senate proceeded to the consideration, out of their order, of

Bill to more effectually provide for the recording of all conveyances of real estate ;

Bill providing for the taxation of fire arms.

Read by their titles and referred to the Committee on the Judiciary.

Bill to amend an Act entitled "An Act to fix the salaries and regulate the pay of certain officers."

Read by its title, and referred to the Committee on Finance.

On motion of Mr. SWAILS, the Senate proceeded to the consideration, out of their order, of

Bill to make appropriation for the payment of the per diem and mileage of the members of the General Assembly, and the subordinate officers, and other expenses incidental thereto.

Read by its title, and referred to the Committee on Finance.

Bill to vest in the Charleston Land Company the charter of a ferry from Hamlin's Wharf, in the City of Charleston, to the following points on the Wando River, to wit: Scanlonville, Remley's Point, Venning's Landing and Daniel's Island Landings.

Read by its title, and referred to the Committee on Incorporations.

UNFINISHED BUSINESS.

The Senate proceeded to the consideration of the Unfinished Business, to wit:

Bill to amend an Act entitled "An Act to establish and maintain a system of Free Common Schools for the State of South Carolina."

The Bill having received its second reading, was taken up for consideration as in the Committee of the Whole, and by Sections.

Pending the consideration of Section 1,

The PRESIDENT announced the hour arrived for the consideration of the

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day at 1 P. M., to wit:

Resolution requesting the Land Commissioner to inform the Senate what lands have been purchased by him and his predecessor.

On motion of Mr. HAYNE, further proceedings under the Special Order were postponed until the disposal of the Bill previously under consideration.

UNFINISHED BUSINESS.

The Senate resumed the consideration of Unfinished Business, to wit:

A Bill to amend an Act entitled "An Act to establish and maintain a system of free common schools for the State of South Carolina."

On motion of Mr. LESLIE, Section 10 was passed over for further consideration.

On motion of Mr. HAYNE, Section 20 was amended in the third line by striking out the cipher "0," and inserting in lieu thereof the figure "2," so as to read "1872."

On motion of Mr. NASH, Section 22 was amended, in the second line, by striking out the word "once," and inserting in lieu thereof the words "three times."

On the question to agree to Section 27,

Mr. WHITTEMORE moved to amend by filling the blank with the words "two hundred."

Mr. GREENE moved, as an amendment to the amendment, to strike out the word "two," and insert in lieu thereof the word "five."

Mr. JOHNSTON moved, as a substitute for the amendment and the amendment to the amendment, to fill the blank with the words "eight hundred."

After debate, participated in by Messrs. Nash, Whittemore, Hayne,

The motion of the Senator from Sumter was withdrawn.

The amendment and the amendment to the amendment were subsequently withdrawn.

On motion of Mr. HAYNE, Section 22 was passed over for further consideration.

Pending the consideration of Section 25,

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Messages Nos. 26 and 27 from His Excellency the Governor were presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

Message No. 26 was read, as follows:

STATE OF SOUTH CAROLINA,

EXECUTIVE DEPARTMENT,

COLUMBIA, January 26, 1871.

HON. A. J. RANSIER, *President of the Senate*:

SIR: I have the honor to inform you that I have this day approved and signed a Joint Resolution for the relief of S. Cochran, T. Cochran, Elizabeth Cochran, Juliana Irvine, Isabella Irvine and Henrietta Irvine.

Very respectfully,

ROBERT K. SCOTT,
Governor.

The PRESIDENT announced that No. 27 related to Executive business.

UNFINISHED BUSINESS.

The Senate resumed the consideration of the Unfinished Business, to wit :

A Bill to amend an Act entitled "An Act to establish and maintain a system of Free Common Schools for the State of South Carolina."

On motion of Mr. MAXWELL, Section 30 was amended, in the fourth line, printed Bill, by striking out the word "one" before the word "year," and inserting in lieu thereof the word "two," and the addition of the letter "s" to the word "year."

Mr. HAYNE moved to amend Section 30 by filling the blank in the third line, printed Bill, with the words "by the Superintendent of Education."

After debate, participated in by Messrs. Hayne, Whittemore, Nash, Maxwell, Johnston, Duvall,

On the question of agreeing to the amendment of the Senator from Marion,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Cardozo, Clinton, Dickson, Duncan, Greene, Hayes, Hayne, Maxwell, Montgomery, Whittemore.—10.

Nays—Messrs. Barber, Bieman, Duvall, Foster, Holcombe, Johnston, Leslie, Nash, Rose, Smalls, Wilson.—11.

So the amendment of the Senator from Marion was not agreed to.

Mr. WHITTEMORE moved to amend Section 30 by filling the blank with the following words: "By the County School Commissioners, with the concurrence of the County Treasurer, County Auditor and Probate Judge."

After debate, participated in by Messrs. Duvall, Whittemore, Hayne,

On the question of agreeing to the amendment of the Senator from Darlington,

On division, the Senate voted yeas, 15; nays, 7.

So the amendment of the Senator from Darlington was agreed to.

On motion of Mr. HAYNE, Section 32 was amended in the first line by striking out the word "Commissioner," and inserting in lieu thereof the word "Examiners."

On motion of Mr. WHITTEMORE, Section 36 was amended by inserting in the seventh line, after the word "enumeration," the words "Provided the time in making said enumeration shall not exceed three days."

On motion of Mr. WHITTEMORE, Section 41 was amended by the addition of "a school month shall be twenty days, a school week five days."

On motion of Mr. WHITTEMORE, Section 44 was amended, in the fourth line, by striking out the word "twice," and inserting in lieu thereof the words "three times"

On motion of Mr. WHITTEMORE, Section 49 was amended, in the eighth line, by filling the blank with the words "two dollars."

The Senate resumed the consideration of Section 10.

There being no amendment,

Section 10 was agreed to.

The Senate resumed the consideration of Section 27.

Mr. HAYNE moved to amend by filling the blank with the following:

Anderson, 300; Abbeville, 500; Barnwell, 700; Beaufort, 800; Charleston, 1,000; Chesterfield, 300; Colleton, 600; Chester, 500; Clarendon, 300; Darlington, 500; Edgefield, 800; Fairfield, 500; Georgetown, 400; Greenville, 400; Horry, 200; Kershaw, 500; Lancaster, 300; Lexington, 300; Laurens, 400; Marion, 500; Marlboro, 500; Newberry, 500; Oconee, 300; Orangeburg, 800; Pickens, 300; Richland, 800; Sumter, 600; Spartanburg, 500; Union, 400; Williamsburg, 500; York, 400.

The amendment of the Senator from Marion was subsequently withdrawn.

On motion of Mr. WHITTEMORE, Section 27 was amended in the first line by inserting after the word "Commissioner," the words "after the next General Election."

Mr. WHITTEMORE moved to further amend Section 27 by filling the blank in the third line with the words "five hundred," and to strike out in line two the words "including expenses of transportation in his County."

Mr. DUVALL moved to amend the amendment of the Senator from Darlington, by striking out the word "five," and inserting in lieu thereof the word "three."

The amendment to the amendment was not seconded.

Pending debate, participated in by Messrs. Smalls, Whittemore,

On motion of Mr. SWAILS, at 3 P. M., the Senate adjourned.

FRIDAY, JANUARY 27, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The Roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Rev. E. J. Adams.

The Clerk read the Journal of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,

Concurrent Resolution proposing to meet in Joint Assembly Friday, February 11, 1871, for the purpose of electing a Judge for the Seventh Judicial Circuit, to fill the vacancy occasioned by the resignation of T. O. P. Vernon.

On motion of Mr. ARNIM, the consideration of the Resolution was postponed, and made the Special Order for Wednesday, February 1, 1871, at 1 P. M.

The House also sent to the Senate,

Concurrent Resolution proposing the appointment of a Joint Committee to hold a conference and report the most important matters to be considered this session.

Mr. ARNIM moved that the Resolution be referred to a Special Committee of two, to be appointed by the President.

The question was taken on agreeing to the motion of the Senator from Edgefield, and decided in the affirmative.

The PRESIDENT announced Messrs. Arnim and Montgomery said Committee.

The House returned to the Senate, with amendment,

A Bill to regulate the appointment, jurisdiction and duties of Notaries Public.

The amendment was concurred in.

Ordered, That the title of the Bill be changed to that of an Act, and that it be enrolled.

The House also sent to the Senate,

Concurrent Resolution instructing the State Librarian to turn over to the Librarian of the Supreme Court certain reports.

The Resolution was concurred in, and ordered to be returned to the House of Representatives.

PETITIONS, &c.

The PRESIDENT laid before the Senate

Statement of the expenditures of the County Commissioners of Georgetown County.

On motion of Mr. HAYNE, the statement was ordered to be printed, and copies laid on the desks of Senators.

Mr. SWAILS presented the petition of citizens of Williamburg County, praying the repeal of certain restrictions under an Act of 1859 ; which was received as information.

Mr. DUNCAN presented the petition of George B. Tucker, praying the General Assembly to grant him the privilege of placing gates across certain roads in Union County ; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. WHITTEMORE presented the claim of Rev. C. Bruce Walker, for arrears of salary as Secretary of the Board of Trustees of the University of South Carolina ; which was referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to renew and amend the charter of the town of Mt. Pleasant ;

A Bill to incorporate the Champion Hook and Ladder Company, of Chester ;

A Bill to incorporate the Charleston Riflemen Club ;

A Bill to further amend an Act entitled "An Act providing for the assessment and taxation of property ;

A Bill to amend the charter of the town of Union.

The above Bills received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. NASH, from the Special Committee on the part of the Senate, appointed to meet with the Committee appointed on the part of the House of Representatives, under Concurrent Resolution to appoint a Special Committee to investigate the accounts of the Committee of Investigation into the affairs of the Third Congressional District of the State, reported "that, despite several notifications given the Committee on the part of the House to meet, pursuant to directions, for the purpose aforesaid, the Committee on the part of the Senate have failed to effect a meeting up to the present time, and would, therefore, respectfully recommend that some further action be taken to compel a meeting of said Committee on the part of the House, to the end that this examination and investigation proceed without further delay."

On motion of Mr. LESLIE, the Rule was suspended, and the Report considered immediately.

On the question of agreeing to the Report,

After debate, participated in by Messrs. Leslie, Nash, Smalls, Arnim,

On motion of Mr. LESLIE, the Report was ordered to lie on the table.

On motion of Mr. LESLIE, it was

Ordered, That the Committee on the part of the Senate be discharged from further co-operation with the Committee on the part of the House of Representatives, and the House notified of the reasons therefor.

On motion of Mr. LESLIE, it was

Resolved, That the Senator from Richland and the Senator from Beaufort be appointed a Special Committee to investigate as to the amount drawn from the State Treasury by the Committee to investigate the affair of the Third Congressional District, with power to send for persons and papers; and that they be directed to report within five days.

On motion of Mr. HAYNE, the Senator from Spartanburg was added to said Committee.

Mr. HAYNE, on behalf of the Senator from Richland, from the Committee on Contingent Expenses and Accounts, to whom was referred the Report of the House Committee on Contingent Expenses on the account of the Columbia Gas Light Company, for gas furnished the State Capitol, amounting to \$874.80, reported back the same, with a recommendation that the Senate concur.

The Rule was suspended, the Report considered immediately, and agreed to.

Mr. OWENS, from the Committee on Finance, to whom was referred a Bill to make appropriation for the payment of the per diem and mileage of the members of the General Assembly, and the salaries of the subordinate officers, and other expenses incidental thereto, reported back the same, with a recommendation that the Bill be amended by filling the blank with the words "one hundred and twenty-five thousand dollars;" and the Bill, so amended, do pass.

Ordered for consideration to-morrow.

Mr. HAYES, from the Committee on Claims and Grievances, to whom was referred a Joint Resolution to authorize the State Treasurer to pay the sum of fifty-eight dollars, out of the Treasury, to Henry Newton, reported back the same, with a recommendation that the Joint Resolution do pass.

Ordered for consideration to-morrow.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to renew and amend the charter of the town of Anderson, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to amend the charter of the German Evangelical Lutheran Church, of Charleston, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to incorporate the South Carolina Saving and Building Association, No. 2, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification,

An Act to regulate the appointment, jurisdiction and duties of Notaries Public ;

An Act to repeal so much of the Act of 1839 as prohibits the Clerks of the Courts of the State from acting as Attorneys or Solicitors in the Courts of the State ;

An Act to incorporate the Moses Guards, of Ridgeway, in Fairfield County.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the above Acts.

BILLS INTRODUCED.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to require County Commissioners to report to the General Assembly ;

A Bill authorizing the County Treasurers to take charge of the lands of the State purchased by the Land Commissioner of the State of South Carolina.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. MCINTYRE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to incorporate Harmony Lodge, No. 61, of Ancient Free Masons, of the State of South Carolina ;

A Bill to charter the Jacksonboro Ferry.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. DUVALL introduced the following Concurrent Resolution :

Resolved by the Senate, the House of Representatives concurring,

That the Committee of Investigation on the affairs of the Land Commission be directed to publish the evidence taken by them immediately after the same shall have been taken.

On motion of Mr. DUVALL, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Ordered, That it be sent to the House of Representatives for concurrence.

NOTICES OF BILLS.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to provide for the election of Justices of the Peace.

Mr. SWAILS gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to amend an Act to authorize the Commissioners of Public Building for Williamsburg District to sell certain portions of the public grounds, passed the 22d day of December, 1859 ;

A Bill to incorporate the Charleston Water Company, in the City and County of Charleston, S. C.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to reduce all the salaries of the State officers and the clerks in the different departments.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day at 1 P. M., to wit :

Resolution requesting the Land Commissioner to inform the Senate what lands have been purchased by him and his predecessor.

On motion of Mr HAYNE, the further consideration of the Resolution was indefinitely postponed.

UNFINISHED BUSINESS.

The Senate resumed the consideration of the Unfinished Business, to wit :

Section 27 of a Bill to amend an Act entitled " An Act to establish and maintain a system of Free Common Schools for the State of South Carolina."

The question recurred on agreeing to the amendment of the Senator from Darlington, to fill the blank with the words " five hundred," and

to insert between the words "shall" and "receive," the words, "after the next general election;" also, to strike out of line 2, printed Bill, the words, "including expenses of transportation within his County."

After debate, participated in by Messrs. Smalls, Hayne, Nash, Wimbush, Leslie,

Mr. HAYNE moved that the further consideration of the amendment of the Senator from Darlington be indefinitely postponed.

The motion of the Senator from Marion was not agreed to.

Mr. WILSON moved, as a substitute for the amendment of the Senator from Darlington, the following:

"That the salary of the School Commissioners shall not be less than two hundred dollars, nor more than one thousand dollars. And that the amount shall be determined by the Grand Jury of each County at the last term of the Court preceding the end of the fiscal year—that the jury, in fixing the amount, shall have regard to the amount and character of the services performed."

After further debate, participated in by Messrs. Leslie, Whittemore,

On the question of agreeing to the substitute offered by the Senator from Anderson,

Mr. LESLIE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Foster, Hayes, Leslie, Wilson.—5.

Nays—Messrs. Barber, Bieman, Burroughs, Cardozo, Dickson, Duncan, Duvall, Hayne, Holcombe, Johnston, Maxwell, Montgomery, Nash, Owens, Smalls, Whittemore, Wimbush.—17.

So the Senate refused to agree to the amendment of the Senator from Anderson.

On the question of agreeing to the amendment of the Senator from Darlington,

Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Barber, Bieman, Burroughs, Cardozo, Dickson, Duncan, Duvall, Hayes, Holcombe, Leslie, Maxwell, Nash, Owens, Whittemore.—14.

Nays—Messrs. Arnim, Foster, Hayne, Johnston, Montgomery, Smalls, Wilson, Wimbush.—8.

Mr. JOHNSTON moved that the vote whereby the Senate agreed to Section 7 be reconsidered.

Mr. HAYNE moved that the motion of the Senator from Sumter be ordered to lie on the table.

On the question of agreeing to the motion of the Senator from Marion,

Mr. JOHNSTON called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Cardozo, Dickson, Foster, Hayne, Maxwell, Owen Swails, Whittemore.—8.

Nays—Messrs. Arnim, Barber, Bieman, Burroughs, Duncan, Duvall, Holcombe, Johnston, Leslie, Montgomery, Nash, Smalls, Wilson, Wimbush.—14.

So the Senate refused to lay the motion to reconsider on the table.

The question recurred on agreeing to Section 7.

Mr. JOHNSTON moved to amend Section 7, in the second line, by striking out the words and figures "two thousand five hundred (2,500)," and inserting in lieu thereof the words and figures "fifteen hundred (1,500)."

Pending debate, participated in by Messrs. Whittemore, Nash, Johnston, Smalls, Leslie, Arnim, Cardozo,

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message Number 28 from His Excellency the Governor was presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Message related to Executive Business.

UNFINISHED BUSINESS.

The Senate resumed the consideration of Section 7 of a Bill to amend an Act entitled "An Act to establish and maintain a system of Free Common Schools for the State of South Carolina."

The question recurred on agreeing to the amendment of the Senator from Sumter.

Mr. WHITTEMORE moved to amend the amendment by inserting after the word "education," on the fourth line, the words "after the next general election."

After further debate, participated in by Messrs. Whittemore, Hayne, Cardozo,

On the question of agreeing to the amendment of the Senator from Darlington,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Barber, Cardozo, Dickson, Hayes, Hayne, Johnston, Maxwell, Nash, Swails, Whittemore.—11.

Nays—Messrs. Bieman, Burroughs, Duncan, Duvall, Foster, Holcombe, Leslie, Owens, Rose, Smalls, Wilson, Wimbush.—12.

So the Senate refused to agree to the amendment of the Senator from Darlington.

Mr. HAYNE moved that the Senate adjourn.

On the question of agreeing to the motion of the Senator from Marion,

Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Hayes, Hayne, Nash, Swails, Whittemore.—5.

Nays—Messrs. Arnim, Barber, Bieman, Burroughs, Cardozo, Dickson, Duncan, Duvall, Foster, Holcombe, Johnston, Leslie, Maxwell, Owens, Rose, Smalls, Wilson, Wimbush.—18.

So the Senate refused to adjourn.

Mr. CARDOZO moved to amend the amendment of the Senator from Sumter by striking out the words and figures "fifteen hundred (1500,) and inserting, in lieu thereof, the words and figures "two thousand (2000.)"

On the question of agreeing to the amendment of the Senator from Kershaw,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Cardozo, Dickson, Hayes, Hayne, Maxwell, Nash, Whittemore.—7.

Nays—Messrs. Arnim, Barber, Bieman, Burroughs, Duncan, Duvall, Foster, Holcombe, Johnston, Leslie, Owens, Rose, Smalls, Swails, Wilson, Wimbush.—16.

So the Senate refused to agree to the amendment of the Senator from Kershaw.

On the question of agreeing to the amendment of the Senator from Sumter,

Mr. JOHNSTON called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Arnim, Barber, Bieman, Burroughs, Duncan, Duvall, Foster, Holcombe, Johnston, Leslie, Nash, Rose, Smalls, Swails, Wilson, Wimbush.—16.

Nays—Messrs. Cardozo, Dickson, Hayes, Hayne, Maxwell, Whittemore.—6.

So the amendment of the Senator from Sumter was agreed to.

On motion of Mr. HAYNE, at 4 P. M., the Senate adjourned.

SATURDAY, JANUARY 28, 1871.

Pursuant to adjournment, the Senate assembled at 12 M, and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. WHITTEMORE, the reading of the Journal of yesterday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., January 28, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that the Special Committee on the part of the House to investigate amounts drawn by the Committee of Investigation, 3d Congressional District, have not refused to act with the Committee appointed on the part of your honorable body, and the message of your honorable body in relation thereto is respectfully returned by order of the House.

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker House of Representatives.

PETITIONS, &c.

The PRESIDENT laid before the Senate

Statement of the expenditures of the County Commissioners of Marlboro County ;

Statement of the expenditures of the County Commissioners of Newberry County.

On motion of Mr. HAYNE, the Statements were ordered to be printed, and copies laid on the desks of Senators.

REPORTS OF COMMITTEES.

Mr. ARNIM, from the Committee on County Offices and Officers, to whom was referred a Bill to require County Treasurers to report to the General Assembly, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

BILLS INTRODUCED.

Mr. WHITTEMORE, pursuant to notice, introduced,

Bill to provide for contesting Elections ;

Bill to define the salaries of certain officers.

The above Bills received their first reading, were ordered for a second reading and consideration on Monday next, and to be printed.

Mr. SWAILS, pursuant to notice, introduced

Bill to amend an Act to authorize the Commissioners of Public Buildings for Williamsburg District, to sell certain portions of the public grounds, passed the 22d day of December, 1859 ;

Bill to incorporate the Charleston Water Company, in the City and County of Charleston, S. C.

The above Bills received their first reading, were ordered for a second reading and consideration on Monday next, and to be printed.

RESOLUTIONS.

Mr. CARDOZO introduced the following Resolution :

Whereas the Governor has in his late Message brought to the notice of the General Assembly the necessity of further legislation to protect the interests of the State in regard to its receipts from Phosphates, in which he showed that the State received during the past but \$1,989 from that source ; and

Whereas the immense wealth contained in these deposits might, with justice, yield a sufficient income to the State, as to pay the interest on its debt, and thus relieve the people of a considerable portion of their taxes ; therefore, be it

Resolved, That the Attorney General be forthwith requested to frame a law that will carry out the recommendation of the Governor, and thus protect the interests of the State and the people.

On motion of Mr. CARDOZO, the Rule was suspended, and the Resolution considered.

Mr. ARNIM moved to amend the Resolution by striking out the words " Attorney-General," and inserting in lieu thereof the words " Committee on Mines and Mining."

The amendment was accepted.

After debate, participated in by Messrs. Cardozo, Hayes, Swails, Arnim,

The question was taken on agreeing to the Resolution, and decided in the affirmative.

JOURNAL OF THE SENATE,
UNFINISHED BUSINESS.

The Senate resumed the consideration of the Unfinished Business, to wit:

A Bill to amend an Act entitled "An Act to establish and maintain a system of free common schools for the State of South Carolina."

On motion of Mr. ARNIM, the further consideration of the Bill was postponed for the present.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

On motion of Mr. ARNIM, the Senate proceeded to the consideration, out of its order, of

Bill to incorporate Harmony Lodge, No. 61, of Ancient Freemasons, of the State of South Carolina.

On motion of Mr. SMALLS, the Bill was read by its title, and referred to the Committee on Incorporations.

On motion of Mr. SMALLS, the Senate proceeded to the consideration, out of its order, of

A Bill to amend Section two hundred and seventy-nine (279) of an Act entitled "An Act to revise, simplify and abridge the rules, practice, pleadings and forms of the Courts in this State."

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. LESLIE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Incorporations on a Bill to alter and amend an Act entitled "An Act to alter and amend the charter and extend the limits of the city of Columbia," approved 26th of February, 1870.

The Report was read, and the Bill taken up for a second reading.

Mr. LESLIE moved that the further consideration of the Bill be postponed, and that it be referred to a Special Committee of three, to be appointed by the President, with instructions to report on Wednesday next.

After debate, participated in by Messrs. Leslie, Swails, Nash,

Mr. NASH moved that the further consideration of the Bill be postponed, and made the Special Order for Wednesday, February 1, at 1:30 P. M.

After further debate, participated in by Messrs. Nash, Leslie,

On the question of agreeing to the motion of the Senator from Richland,

Mr. LESLIE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Barber, Cardozo, Dickson, Hayes, Maxwell, Nash.—6.

Nays—Messrs. Arnim, Burroughs, Duvall, Foster, Johnston, Leslie, Montgomery, Owens, Smalls, Whittemore, Wilson.—11.

So the Senate refused to agree to the motion of the Senator from Richland.

On the question of agreeing to the motion of the Senator from Barnwell,

Mr. ARNIM called for the yeas and nays

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Arnim, Bieman, Burroughs, Duvall, Foster, Hayes, Holcombe, Johnston, Leslie, Maxwell, Owens, Smalls, Whittemore, Wilson.—14.

Nays—Messrs. Cardozo, Hayne, Montgomery, Nash —4.

So the motion of the Senator from Barnwell was agreed to, and the Bill referred to a Special Committee of three, to report on Wednesday next.

Messrs. Leslie, Nash and Barber were appointed said Committee.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Bill to require the County Commissioners to report to the General Assembly.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on Finance on a Joint Resolution authorizing the County Commissioners of Lancaster County to levy a special tax.

The Report was read, and the Joint Resolution taken up for a second reading.

The Joint Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That the Resolution be engrossed for a third reading.

On motion of Mr. HAYNE, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on County Offices and Officers on a Bill to amend an Act to define the jurisdiction and duties of County Commissioners.

The Report was read, and the Bill taken up for a second reading,

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. HAYNE moved to amend Section 1, in the twenty-seventh line, printed Bill, by striking out the word "Edgefield," and inserting in lieu thereof the word "Richland."

Mr. ARNIM moved to amend the amendment by striking out, beginning on the 26th line, and ending on the 29th line, the following: "Except in the Counties of Charleston and Edgefield, in which Counties the Board of County Commissioners shall appoint some suitable person as Clerk, and remove him at pleasure, whose general duties shall be ."

After debate, participated in by Messrs Swails, Whittemore, Hayne, Cardozo,

Mr. SWAILS moved that the enacting clause of the Bill be stricken out.

After further debate, participated in by Messrs. Leslie, Whittemore, Duvall, Smalls,

On the question of agreeing to the motion of the Senator from Williamsburg,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Bieman, Burroughs, Duvall, Foster, Holcombe, Montgomery, Owens.—7.

Nays—Messrs. Barber, Cardozo, Duncan, Hayne, Johnston, Leslie, Maxwell, Nash, Rose, Smalls, Whittemore, Wilson.—12.

So the Senate refused to strike out the enacting clause of the Bill.

The question recurred on agreeing to the amendment to the amendment.

The amendment to the amendment was withdrawn.

The question was then taken on agreeing to the motion of the Senator from Marion, to strike out, wherever it occurred, the word "Edgefield," and insert in lieu thereof the word "Richland," and decided in the affirmative.

On motion of Mr. WHITTEMORE, the Bill was further amended by inserting after the word "same" "And the County Commissioners shall inform the County Treasurer of the orders drawn, in whose favor, the amount, and the order in which they are drawn."

On motion of Mr. WHITTEMORE, the Bill was further amended by the addition of the following:

Strike out the following in Section 18, line 15, after the word "Constitution:" "He shall receive a reasonable compensation for his services, to be fixed by the Board, not to exceed three dollars per day for the time actually and necessarily employed."

Strike out "November," wherever it appears in the Act, and insert "September."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

UNFINISHED BUSINESS.

The Senate resumed the consideration of Unfinished Business, to wit :
A Bill to amend an Act entitled " An Act to establish and maintain a system of free common schools for the State of South Carolina."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Messages Nos. 29 and 30, from His Excellency the Governor, were presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

Message No. 28 was read, as follows :

STATE OF SOUTH CAROLINA

EXECUTIVE DEPARTMENT,

COLUMBIA, January 28, 1871.

Honorable President of the Senate :

SIR: I have the honor to transmit herewith a copy of the Report of the Sinking Fund Commission for the fiscal year ending 31st October, 1870.

The original Report was made at the beginning of the present session of the Legislature, and placed in the hands of the Printer for publication. He has not published it as yet, which accounts for the delay.

Very respectfully,

(Signed)

ROBERT K. SCOTT, Governor.

REPORT.

OFFICE OF SINKING FUND COMMISSION,

COLUMBIA, S. C., Novembr 18, 1870.

To the Senate and House of Representatives of the State of South Carolina :

GENTLEMEN: The Commissioners of the Sinking Fund, appointed under an Act entitled " An Act to provide for a Sinking Fund, and the management of the same," present to your honorable body a Report of the transactions of this Commission.

This Commission was organized on the second of March last, immediately after the adjournment of the Legislature, and proceeded to dispose of the unremunerative property that belonged to the State.

We encountered many difficulties in prosecuting our object, which hindered our progress somewhat. From information in our possession, we have reason to believe that there is much property in the County of Charleston, both in the city and outside of it, which the State can justly claim. Steps have been taken to establish this claim.

We are also led to believe that there is property belonging to the State in the following Counties, namely: Greenville, Fairfield, Sumter and Beaufort.

The following statement will show our financial transactions from our organization to the end of the fiscal year, October 31, 1870 :

RECEIPTS.

Amount realized from sale of 21,698 shares of Greenville and Columbia Railroad Stock, at \$2.75 per share.....	\$59,669 50
Amount realized from sale of 240 shares of South Carolina and South Western Railroad Bank Stock, at \$45 per share.....	10,800 00
Amount received from Governor R. K. Scott, as net proceeds of sale of building material in State House yard.....	3,014 70
Amount realized from sale of 4,000 shares of Cheraw and Coalfield (now Cheraw and Salisbury) Railroad Company, at \$3.75 per share.....	15,000 00
Amount realized from sale of real estate, namely: four acres on Arsenal Hill, near the Executive Mansion, and one acre on Main Street, rear of State House.....	6,965 00
Total	<u>\$95,449 20</u>

EXPENDITURES.

Amount expended for purchase of \$100,000.00 of South Carolina Bonds	\$81,937 50
Amount expended for commissions on sale of real estate.....	348 25
Advertisements	192 30
Stamps and Stationery.....	32 95
Surveying.....	57 50
Expended for searches of property.....	224 00
Total.....	<u>\$82,792 50</u>

RECAPITULATION.

Total amount expended.....	\$82,792 50
Total amount realized.....	95,449 20
	<hr/>
Balance on hand.....	\$12,656 70
(Signed)	J. H. RAINEY, Secretary.

On motion of Mr. LESLIE, the Message and accompanying document were referred to the Special Committee appointed to investigate the affairs of the Sinking Fund Commission.

The PRESIDENT announced that Message No. 30 related to Executive Business.

EXECUTIVE SESSION.

On motion of Mr. HAYNE, at 2:25 P. M., the Senate went into Executive Session.

After the disposal of Executive Business, the Senate returned to open session.

On motion of Mr. MAXWELL, at 3:10 P. M., the Senate adjourned.

MONDAY, JANUARY 30, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the Hon C. W. MONTGOMERY, President, *pro tem*.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Rev. Mr. Bulkley.

The Clerk read the Journal of Saturday.

Mr. ROSE asked and obtained leave of absence for four days, on account of important business.

Mr. NASH asked and obtained leave of absence for the Senator from Lancaster for eight days.

PAPERS FROM THE HOUSE OF REPRESENTATIVES

The House sent to the Senate,

Report of the Medical Committee of the House of Representatives on accounts of G. W. Garmany, M. D., for *port mortem* examinations.

The Report was concurred in, and ordered to be returned to the House of Representatives.

The House also sent to the Senate,

Concurrent Resolution instructing the Clerk of both Houses to draw pay certificates to January 31st, 1871.

The Resolution was concurred in, and ordered to be returned to the House of Representatives.

The House also sent to the Senate,

Preamble and Concurrent Resolution, that the Legislature call on the General Government for protection against domestic violence.

Mr. WHITTEMORE moved that the Preamble and Resolution be received as information.

The motion of the Senator from Darlington was subsequently withdrawn.

Mr. HAYNE moved that the Senate refuse to concur in the Preamble and Resolution.

Mr. JOHNSTON moved that the consideration of the motion of the Senator from Marion be indefinitely postponed.

After debate, participated in by Messrs. Johnston, Hayne, Whittemore, Swails, Nash,

On motion of Mr. LESLIE, the further consideration of the Resolution was postponed to Wednesday, February 8, 1871.

The House also sent to the Senate,

Concurrent Resolution instructing the State Treasurer to report by what authority he disbursed money appropriated for the support of free schools, and for other purposes.

On motion of Mr. WHITTEMORE, the Resolution was referred to the Committee on Education.

The House also sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., January 30, 1871.

Mr. President and Gentlemen of the Senate:

The House of Representatives, pursuant to Resolution adopted, respectfully invites the attendance of your honorable body, at 3 P. M. this day, in the Hall of the House of Representatives, to hear the funeral oration

on Mr. Wade Perrin, late a member of the House of Representatives from Laurens County.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker House of Representatives.

The invitation was accepted, and a message sent to the House accordingly.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No. 31, from His Excellency the Governor, was presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Message related to Executive business.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Joint Resolution authorizing the County Commissioners of Lancaster County to levy a special tax.

The Joint Resolution received its third reading, passed, and was ordered to be sent to the House of Representatives.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to incorporate the Mars Bluff Sons of Benevolence Association, reported back the same, with a recommendation that the Bill be laid on the table, as the Act approved February 28, 1870, entitled "An Act to provide for the formation of Religious, Charitable and Educational Associations," makes ample provisions for the incorporation of all such institutions

On motion of Mr. HAYNE, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

So the Bill was accordingly ordered to lie on the table.

Mr. NASH, from the Committee on Contingent Accounts and Expenses, to whom was referred the accounts of the Charleston Daily Courier, Daily News, Republican, Daily Union and Phoenix, for advertising writs of election, together with sundry other contingent accounts against the Senate, reported back the same, with a recommendation that the accounts be paid.

On motion of Mr. NASH, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

BILLS INTRODUCED.

Mr. DUVALL, pursuant to notice, introduced

A Bill to charter the town of Cherterfield.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. WIMBUSH gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to charter a ferry over the Catawba River, and for other purposes therein mentioned.

Mr. JOHNSTON gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to incorporate the Workingmen's Mutual Benefit and Life Assurance Association, of South Carolina.

Mr. SWAILS gave notice that he will on to-morrow, or some subsequent day, ask leave to amend Rule 15 of the Senate.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

Joint Resolution directing the State Auditor and County Commissioners to levy certain taxes for the fiscal year of 1871;

Bill to amend an Act entitled "An Act to define the Criminal Jurisdiction of Trial Justices;

Bill requiring the Board of Commissioners created by an ordinance passed by the Constitutional Convention to select proper sites for Court Houses, to purchase land in the name of the State, and sell the same, the proceeds of which were to be devoted to public purposes in the Counties of Pickens and Oconee, to report to the General Assembly, on or before December next.

GENERAL ORDERS.

The Senate proceeded to the consideration of General Orders on the Calendar.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of their order, of

Bill to incorporate the Beaufort Railway Company,

Read by its title and referred to the Committee on Railroads.

Bill to amend an Act entitled "An Act to provide for the appointment of Trial Justices."

Read by its title and referred to the Committee on the Judiciary.

Bill to enforce the payment of the poll tax and road tax.

Read by its title and referred to the Committee on the Judiciary.

Bill to authorize the formation of, and to incorporate, the Tugaloo and Chattanooga Railroad Company.

Read by its title and referred to the Committee on Railroads.

Bill to abolish the Seventh Judicial Circuit, and to assign the Counties thereof to the Fifth, Sixth and Eighth Circuits.

Read by its title and referred to the Committee on the Judiciary.

Bill (House) to amend the charter of the Columbia Building and Loan Association.

Bill (House) to incorporate the Logan Fusileers, of the Parish of St. Thomas and St. Dennis, Charleston County.

Read by their titles and referred to the Committee on Incorporations.

Joint Resolution (House) directing that the funds known as the Canby School Fund, remaining in the hands of County Treasurers, be appropriated to the Free School Fund

Joint Resolution (House) ordering that the Hon. James L. Orr, Judge of the Eighth Judicial Circuit, be allowed extra compensation for holding extra Courts

Read by their titles and referred to the Committee on Finance.

Joint Resolution (House) to appoint Trustees for the De La Howe Free School, Abbeville County.

Read by its title and referred to the Committee on Education.

Bill (House) to amend an Act entitled "An Act to regulate the fees of Probate Judges, Clerks of Court, Trial Justices, Magistrates, and other officers therein named."

Read by its title, and referred to the Committee on the Judiciary.

Bill (House) to incorporate the Salamander Hook and Ladder Company, of Georgetown, South Carolina.

Read by its title, and referred to the Committee on Incorporations.

Bill (House) to protect the rights of parents, and to prevent the procuring and carrying from the State persons under the age of twenty-one years.

Read by its title, and referred to the Committee on the Judiciary.

Joint Resolution (House) authorizing A. B. Taylor, Henry Arthur and others to continue, for a term of two years, gates erected by them across the Old State Road, in Lexington County, at the beginning and terminus of their planting lands.

Read by its title, and referred to the Committee on Roads, Bridges and Ferries.

Bill authorizing the County Treasurers to take charge of the lands of the State purchased by the Land Commissioner of the State.

Read by its title, and referred to the Committee on Public Lands.

Bill to charter the Jacksonboro Ferry.

Read by its title, and referred to the Committee on Incorporations.

Bill to define the salaries of certain officers.

Read by its title, and referred to the Committee on Finance.

Bill to provide for contested elections.

Read by its title, and referred to the Committee on Privileges and Elections.

Bill to amend an Act entitled "An Act to authorize the Commissioners of Public Buildings for Williamsburg District, to sell certain portions of the public grounds," passed the 22d day of December, A. D. 1859.

Read by its title, and referred to the Committee on Public Buildings.

Bill to incorporate the Water Company in the City of Charleston, State of South Carolina.

Read by its title, and referred to the Committee on Incorporations.

On motion of Mr. WHITTEMORE, the Senate proceeded to the second reading and consideration of

Report of Committee on County Offices and Officers on a Bill to require County Treasurers to report to the General Assembly.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the second reading and consideration of

A Bill to require and compel County Treasurers to receive County checks or warrants in payment for County taxes, and other purposes.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

The question was taken on agreeing to the amendment to Section 1 recommended by the Committee on Finance, and decided in the affirmative.

The question was taken on agreeing to the amendment to Section 2 recommended by the Committee on Finance, and decided in the affirmative.

The question was taken on agreeing to the amendment to Section 4 recommended by the Committee, and decided in the affirmative.

On motion of Mr. WHITTEMORE, Section 1 was further amended by inserting after the word "warrants" the words "or jury or witness' tickets."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

The Senate proceeded to the consideration of

Concurrent Resolution asking of the United States Government protection against domestic violence.

On motion of Mr. WHITTEMORE, the further consideration of the Resolution was postponed to Wednesday, February 8, 1871.

Mr. NASH moved that the Senate resolve itself into Executive Session.

On the question of agreeing to the motion of the Senator from Richland,

Mr. LESLIE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Barber, Hayne, Montgomery, McIntyre, Nash, Owens.—6.

Nays—Messrs. Bieman, Burroughs, Cardozo, Dickson, Duncan, Duvall, Foster, Greene, Holcombe, Leslie, Whittemore, Wilson, Wimbush.—13.

So the Senate refused to resolve itself into Executive Session.

On motion of Mr. WHITTEMORE, the Senate proceeded to the second reading of

A Bill to incorporate the Pleasant Grove Baptist Church, of Darlington County, South Carolina.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendment,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. LESLIE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Incorporations on a Bill to renew and amend the charter of the town of Bamberg, in the State of South Carolina.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, and was considered as in Committee of the Whole, and by Sections.

On motion of Mr. LESLIE,

Section 3 was amended, in the third and fourth lines, printed Bill, by striking out the word "November," and inserting in lieu thereof the word "April."

On motion of Mr. WHITTEMORE,

Section 6 was amended, in the eighteenth and nineteenth lines, printed Bill, by striking out the words "or both such fine and imprisonment."

On motion of Mr. LESLIE, Section 9 was amended, in the second line of printed bill, by striking out the word "ten" before the word "cents" and inserting in lieu thereof the word "twenty."

On motion of Mr. WHITTEMORE, Section 12 was amended, in the third line of printed Bill, after the words "Constitution of" the words "the United States and."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WILSON, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Incorporations on a Bill to renew and amend the charter of the town of Anderson.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole and by Sections.

On motion of Mr. WILSON, Section 18 was amended, in line 10 of the printed Bill, by striking out the words "legal voters" and inserting in lieu thereof the words "owners of real estate within the corporate limits."

On motion of Mr. SWAILS, Section 20 was amended, in the third line, by filling the blank with the word "and."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. SWAILS, the Senate proceeded to the consideration, out of its order, of

Joint Resolution (by Committee on Finance) authorizing the Keeper of the State House to purchase fifty (50) tons of coal.

The Resolution received its second reading, and was considered as in Committee of the Whole.

On motion of Mr. SWAILS, the Resolution was amended by striking out of the title and Resolution the word "fifty," and inserting in lieu thereof the word "fifteen."

There being no further amendments,

Ordered, That the Resolution be engrossed for a third reading.

EXECUTIVE SESSION.

At 2:20 P. M. the Senate went into Executive Session.

After the disposal of Executive Business,

The Senate returned to open session.

On motion of Mr. HAYNE, at 2:40 P. M., the Senate adjourned.

TUESDAY, JANUARY 31, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by Hon. C. W. MONTGOMERY, President *pro tem*.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

On motion of Mr. HAYNE, the reading of the Journal of yesterday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C, January 31, 1871.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that a Senate concurrent Resolution directing the Investigating Committee on the Land Commission to publish the evidence taken by them has been laid on the table in this House.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker House of Representatives.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading:

A Bill to amend an Act to define the jurisdiction and duties of the County Commissioners;

A Bill to require the County Commissioners to report to the General Assembly;

A Bill to amend Section 279 of an Act entitled "An Act to revise, simplify and abridge the Rules, Practice, Pleadings and Forms of the Courts in this State."

The above Bills received their third reading, passed, and were ordered to be sent to the House of Representatives

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to amend an Act entitled "An Act to establish and maintain a system of free common schools in the State of South Carolina."

On the question of agreeing to the passage of the Bill, and ordering it to be sent to the House of Representatives,

Mr. DUVALL called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Burroughs, Cardozo, Dickson, Duncan, Hayes, Hayne, Leslie, Montgomery, Smalls, Swails, Whittemore, Wilson, Wimbush.—14.

Nays—Messrs. Bieman, Duvall, Foster, Holcombe.—4.

So the Bill passed, and was ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Joint Resolution authorizing the Keeper of the State House to purchase fifteen tons of coal for the use of the General Assembly ;

A Bill to incorporate the Pleasant Grove Baptist Church, in Darlington, South Carolina ;

A Bill to require County Treasurers to report to the General Assembly.

The above Bills and Joint Resolution received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to compel County Treasurers to receive County checks or warrants in payment for County taxes, and other purposes.

On the question of agreeing to the passage of the Bill and ordering it to be sent to the House of Representatives,

Mr. BIEMAN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Arnim, Cardozo, Dickson, Hayes, Hayne, Leslie, Montgomery, Nash, Whittemore, Wimbush.—10.

Nays—Messrs. Bieman, Burroughs, Duncan, Duvall, Foster, Holcombe, Wilson.—7.

So the Bill passed, and was ordered to be sent to the House of Representatives.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred the following Bills, reported back the same, with a recommendation that the Bills do pass :

A Bill to incorporate the Logan Fusileers, of the Parish of St Thomas and St. Dennis, Charleston County ;

A Bill to incorporate the Scott Rifle Guards, of Sumter.

A Bill to incorporate the Whipper Guards, of Christ Church Parish ;

A Bill to incorporate the Salamander Hook and Ladder Company, of Georgetown, South Carolina ;

A Bill to amend the charter of the Columbia Building and Loan Association.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Bill to renew and amend the charter of the town of Anderson.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Mr. HAYES, from the Committee on Claims, to whom was referred the Report of the House Committee on Claims on the account of E. R. Stokes, reported back the same, with a recommendation that the Senate concur.

On motion of Mr. HAYES, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

So the Report of the House Committee on Claims was concurred in, and ordered to be returned to the House of Representatives.

Mr. HAYES, from the Committee on Claims, to whom was referred the Report of the House Committee on Claims on the account of W. G. Pinckney, reported back the same, with a recommendation that the Senate do not concur, and that the claim be referred back to the School Commissioner of Charleston County.

On motion of Mr. HAYES, the Rule was suspended, and the Report considered immediately.

After debate, participated in by Messrs. Hayne, Swails, Hayes, Leslie,

On motion of Mr. LESLIE, the Report was recommitted to the Committee on Claims, with instructions to report back with a recommendation that the claim be referred to the School Commissioner of Charleston County, to examine said claim, and to audit it for payment, for such amount as to said Commissioner shall seem proper, the same to be paid out of the school fund for that County, if anything be due.

Mr. HAYES, from the Committee on Claims, to whom was referred the account of John Lilly, for forage, and services rendered to the State Constabulary, reported back the same, with a recommendation that Mr. Lilly be paid sixty-six dollars (\$66) in full for his claims.

On motion of Mr. HAYES, the Rule was suspended, and the Report considered immediately.

On the question of agreeing to the Report,

After debate, participated in by Messrs. Leslie, Wimbush, Whittemore,

On motion of Mr. WHITTEMORE, the Report was laid on the table, and the claim referred to John B. Hubbard, State Constable, for his endorsement.

Mr. HAYES, from the Committee on Claims, to whom was recommitted the Report of said Committee on the account of W. G. Pinckney, reported back the same, amended in accordance with the instructions of the Senate.

The question was taken on agreeing to the Report, and decided in the affirmative.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to declare the corporate privileges of the Camden Bridge Company at an end, and to vest said privileges in the County of Kershaw, reported back the same, accompanied by the opinion of the Attorney-General, and a recommendation that the Bill do not pass.

Ordered for consideration to-morrow, and to be printed.

Mr. DUNCAN, from the Committee on Public Buildings, to whom was referred Bill to amend an Act entitled "An Act to authorize the Commissioners of Public Buildings for Williamsburg District to sell certain portions of the public grounds," passed the 22d day of December, A. D. 1859, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No. 32, from His Excellency the Governor, was presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Message related to Executive business.

BILLS INTRODUCED.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to amend an Act entitled "An Act to define the criminal jurisdiction of Trial Justices," approved March 10, 1870.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. JOHNSTON, pursuant to notice, introduced

A Bill to incorporate the Workingmen's Mutual Benefit Life Assurance Association of South Carolina.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. SWAILS introduced the following Resolution :

Resolved, That Rule 15 of the Senate be amended by inserting at the end of the Rule the words "Under the call of the yeas and nays, every Senator must give his vote one way or the other."

On motion of Mr. SWAILS, the Rule was suspended, and the Resolution considered immediately.

After debate, participated in by Messrs. Swails, Hayne,

The question was taken on agreeing to the Resolution, and decided in the affirmative.

NOTICES OF BILLS.

Mr. WIMBUSH gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to incorporate the Savings and Building Association of South Carolina ;

A Bill to incorporate the Enterprise Railroad Company, of Charleston, S C , approved March 1, 1870.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M., to wit :

Report of the Special Committee appointed to inquire into the truth of the charges contained in the article published in the Charleston Daily News, under the head of "The Impeachment a Job."

On the question of agreeing to the Report,

After debate, participated in by Messrs. Hayne, Johnston, Leslie, Whittemore,

On motion of Mr. WHITTEMORE, it was

Ordered, That the Report, with the exception of the Resolution appended thereto, be adopted as the sense of the Senate, and be spread on the Journal of the Senate.

REPORT.

The Special Committee appointed to inquire into and report upon the truth of the charges contained in an acticle published in the Charleston Daily News, of January 20th, 1871, under the head of "The Impeachment a Job," from the pen of the Reporter, G. D. Fox, enjoying the privileges of this floor, have made inquiry in relation thereto, and report :

That Mr. G. Dixon Fox, a Reporter enjoying the privileges of this floor, submitted to them the following letter in explanation of the charges contained in the said article :

"COLUMBIA, S. C., January 23d, 1871.

"To the Chairman of the Senate Special Investigating Committee :

"In the matter of the supposed charge in the Daily News, which you are appointed to report on, I would beg leave to state, as the author of the same, that I intended the matter entirely as a joke. If I have been so unfortunate as to make it appear a serious matter, I am sorry.

"I would make ample apology, had I intended any wrong ; but I trust you will, in good sense, deem this a sufficient explanation.

"GIL. DIXON FOX,"

"Correspondent Daily News."

"P. S.—Further, I know nothing to substantiate the supposed charges made in the Report.

"GIL. DIXON FOX."

Your Committee made further inquiries relative to the matter, and have been able to find no evidence whatever of the truth of said charges.

Your Committee have been informed by another Reporter upon the floor, of good character and standing, that he was present at the time Mr. Fox wrote the article, and was told by Mr. Fox, at the time, that he wrote it for the purpose of creating a sensation; that there was no truth in it whatever.

Your Committee, therefore, find that there is no evidence whatever, or shadow of evidence, upon which to base the scandalous charge contained in that article. That it appears to have been written in mere wantonness by the Reporter, who was simply trifling with the character of the Senate and the member named.

Your Committee are of opinion that a Reporter representing a daily newspaper in the city of Charleston, who will thus abuse the privilege accorded to him upon the floor of the Senate, ought at once to have that privilege taken from him.

The Senate proceeded to the consideration of the second Special Order for this day, at 1 P. M., to wit :

Report of the Committee on Finance on a Bill to repeal an Act to provide for a sinking fund, and the management of the same.

The Report was read, and the Bill taken up for a second reading.

After debate, participated in by Messrs. Leslie, Nash, Swails, Wimburh,

On motion of Mr. LESLIE, the further consideration of the Bill was postponed until Friday, February 4, 1871.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

On motion of Mr. DUVALL, the Senate proceeded to the consideration, out of its order, of

Bill to charter the town of Chesterfield.

On motion of Mr. DUVALL, the Bill was read by its title, and referred to the Committee on Incorporations.

On motion of Mr. FOSTER, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Incorporations on a Bill to renew and amend the charter of the town of Spartanburg.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. BIEMAN, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Incorporations on a Bill to incorporate the South Carolina Saving and Building Association, No 2.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

EXECUTIVE SESSION.

At 2:45 P. M., on motion of Mr. WHITTEMORE, the Senate went into Executive Session.

After the disposal of Executive Business,

The Senate returned to open session.

On motion of Mr. WHITTEMORE, at 3 P. M., the Senate adjourned.

WEDNESDAY, FEBRUARY 1, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by Hon. C. W. MONTGOMERY, President *pro tem*.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

On motion of Mr. HAYNE, the reading of the Journal of yesterday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., February 1, 1871.

Mr. President and Gentlemen of the Senate.

The House of Representatives respectfully informs your honorable body that Messrs. Williams, Jervey and Hunter have been appointed a Committee on the part of the House, to meet — Committee appointed on

the part of your honorable body to investigate and report as to the disposition of \$4,000,000 worth of Blue Ridge Railroad bonds, endorsed by the State.

Very respectfully,

F. J. MOSES, JR.,
Speaker House of Representatives.

PETITIONS, &c.

Mr. WHITTEMORE presented the Report of the County Commissioners of Darlington County; which was ordered to be printed, and copies laid on the desks of Senators.

The PRESIDENT laid before the Senate the account of John Lilly, with the following return:

OFFICE OF CHIEF CONSTABLE,
COLUMBIA, S. C., February 1, 1871.

Respectfully returned to J. Woodruff, Clerk of the Senate of South Carolina, with the remark that I drew the amount (last August.) My Clerk drew *this*, with other money, for forage, to the amount of eight hundred dollars, and I was forced to go to Orangeburg on business. On my return, found said Clerk had left for parts unknown. All the claims for that period had been paid by myself, except to Mr. Lilly, out of my own *private funds*, and, had his account been before me at the time, it, too, would have been settled. Being compelled to go North on urgent business last month, I did not settle with Mr. Lilly, as previously promised.

Respectfully,

JOHN B. HUBBARD,
Chief Constable.

Mr. WIMBUSH asked and obtained leave to withdraw the above account from the files of the Senate.

REPORTS OF COMMITTEES.

Mr. HAYES, from the Senate Medical Committee, to whom was referred the Report of the House Medical Committee on the account of Dr. F. P. Porcher, reported back the same, with a recommendation that the Senate concur in House Report, allowing Dr. Porcher forty dollars in full for his services.

The Rule was suspended, the Report considered immediately, and agreed to.

Ordered, That the account, with the report thereon, be returned to the House of Representatives.

Mr. HAYES, from the Committee on Claims, to whom was referred the Report of the House Committee on account of J. B. Erwin, for teaching a public school in Pickens County, reported back the same, with a recommendation that the account be referred back to the School Commissioner of said County for his action, and the Committee discharged from its further consideration.

The Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

Ordered, That the account, with the report, be returned to the House of Representatives.

Mr. HAYES, from the Committee on Claims, to whom was referred the account of Rev. C. Bruce Walker, for arrears of salary as Secretary of the Board of Trustees of the South Carolina University, reported back the same, with a recommendation that the account, amounting to six hundred dollars, be paid.

The Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

Ordered, That it be sent to the House of Representatives for concurrence.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Bill to renew and amend the charter of the town of Bamberg, in the State of South Carolina.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Bill to incorporate the South Carolina Saving and Building Association, No. 2.

The Bill received its third reading, passed.

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Bill to renew and amend the charter of the town of Spartanburg.

The Bill received its third reading, passed.

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred the following Bills, reported back the same, with a recommendation that the Bills do pass:

A Bill to vest in the Charleston Land Company the charter of a ferry from Hamlin's wharf, in the city of Charleston, to the following points on the Wando River, to wit: Scanlonville, Remley's Point, Venning's Landing and Daniel's Island Landing;

A Bill to charter the Jacksonville Ferry.

Ordered for consideration to-morrow.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to incorporate the Charleston Water Company, in the city and County of Charleston, State of South Carolina, reported back the same, with a recommendation that the Bill do pass, with the following amendments, to wit:

Amend Section 1 by inserting the name of Timothy Hurley.

Amend Section 7 by inserting the names of Anson W. Thayer, John Bates, H. H. Montgomery and Wm. T. Pierce.

Ordered for consideration to-morrow.

BILLS INTRODUCED.

Mr. WIMBUSH, pursuant to notice, introduced

A Bill to incorporate the Saving and Building Association, of South Carolina;

Bill to establish a ferry across the Catawba River, near the late John S. Perry's Mill, and for other purposes therein named;

Bill to amend an Act entitled "An Act to incorporate the Enterprise Railroad Company, of Charleston, South Carolina," approved March 1, 1870.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to require an additional Report from the County Commissioners of the Counties of Pickens and Oconee.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. SMALLS asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to authorize Sylvanus Mayo to build a wharf in the town of Beaufort.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. McINTYRE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to charter the Yemasee, Branchville and Columbia Railroad Company.

Mr. DUNCAN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to alter and amend the Code of Procedure of the State of South Carolina.

Mr. SWAILS gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to amend Title 5th, Part 1st, of the Code of Procedure.

Mr. CARDOZO gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to amend an Act entitled "An Act to provide for the conversion of State Securities;"

A Bill to provide for the appointment of a Commissioner of Public Buildings.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Messages Nos. 33, 34 and 35, from His Excellency the Governor, were presented to the Senate, by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Messages related to Executive Business.

GENERAL ORDERS.

The Senate proceeded to the consideration of General Orders on the Calendar.

On motion of Mr. DUVALL, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Printing on account of J. A. Selby, for public printing.

After debate, participated in by Messrs. Duvall, Leslie, Swails,

Mr. SWAILS moved that the further consideration of the Report be postponed to Saturday, February 11, 1871.

On the question of agreeing to the motion of the Senator from Williamsburg,

Mr. LESLIE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Burroughs, Duncan, Hayne, Leslie, McIntyre, Owens, Smalls, Swails, Whittemore, Wimbush.—11

Nays—Messrs. Bieman, Cardozo, Dickson, Duvall, Foster, Hayes, Holcombe, Montgomery, Nash.—9.

So the further consideration of the Report was postponed to Saturday, February 11, 1871.

The Senate proceeded to the consideration of

Concurrent Resolution to appoint a Special Joint Committee to investigate the state of affairs in the Counties of Union and Spartanburg.

On motion of Mr. MCINTYRE, the Resolution was referred to the Committee on the Judiciary.

On motion of Mr. WIMBUSH, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Incorporations on a Bill to incorporate the Charleston Cleansing Company, of the City of Charleston.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. BIEMAN, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Incorporations on a Bill to amend the charter of the German Evangelical Lutheran Church, of Charleston.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading.

There being no amendments,

Ordered, That it be engrossed for a third reading.

Report of Committee on Roads, Bridges and Ferries, on a Bill to re-charter Moore's Ferry, under the name of Dinkins' Ferry, over the Catawba River.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Claims and Grievances on the account of W. B. Timmons, late Sheriff of Darlington County.

On the question of agreeing to the Report,

After debate, participated in by Messrs. Whittemore, Leslie, Swails,

On motion of Mr. WHITTEMORE, the further consideration of the Report was postponed to Tuesday next, February 7, 1871.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day at 1 P. M., to wit:

A Bill to increase the salaries of the Justices of the Supreme Court.

The Bill received its second reading.

Mr. SWAILS moved that the enacting clause of the Bill be stricken out.

On the question of agreeing to the motion of the Senator from Williamsburg,

Mr. SWAILS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Barber, Bieman, Burroughs, Cardozo, Dickson, Duvall, Foster, Hayes, Hayne, Leslie, McIntyre, Nash, Smalls, Swails, Whittemore, Wimbush.—17.

Nays—Messrs. Montgomery, Owens.—2.

So the enacting clause of the Bill was stricken out.

The Senate proceeded to the consideration of the second Special Order for this day at 1 P. M., to wit:

House Concurrent Resolution proposing to unite in Joint Assembly February 10, 1871, at 1 P. M., to elect a Judge for the Seventh Judicial Circuit, to fill the vacancy occasioned by the resignation of T. O. P. Vernon

On motion of Mr. WHITTEMORE, the Resolution was referred to the Committee on the Judiciary.

On motion of Mr. BARBER, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on Finance on a Bill to make appropriation for the payment of the per diem and mileage of the members of the General Assembly, and the salaries of the subordinate officers, and other expenses incidental thereto.

The Report was read, and the Bill taken up for a second reading.

Mr. SMALLS moved that the further consideration of the Bill be postponed until to-morrow.

On the question of agreeing to the motion of the Senator from Beaufort,

Mr. DUVALL called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Bieman, Burroughs, Cardozo, Dickson, Duvall, Foster, Hayne, Leslie, McIntyre, Nash, Owens, Smalls, Swails, Whittemore.—15.

Nays—Messrs. Barber, Hayes, Montgomery, Wimbush.—4.

So the further consideration of the Bill was postponed until to-morrow.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on the Judiciary on a Bill entitled "A Bill to amend an Act entitled 'An Act to regulate the formation of corporations,' " approved December 10, 1869.

The Report was read, and the Bill taken up for a second reading.

On motion of Mr. WHITTEMORE, the further consideration of the Report was postponed to Tuesday next, February 7, 1871.

On motion of Mr. SWAILS, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on Public Buildings on a Bill to amend an Act entitled "An Act to authorize the Commissioners of Public Buildings for Williamsburg to sell certain public grounds," passed the 23d day of December, A. D. 1859.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. SWAILS, Section 1 was amended by prefixing the word and figure "Section 1."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Bill to amend an Act entitled "An Act to define the criminal jurisdiction of Trial Justices," approved March 1, 1870.

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on the Judiciary.

EXECUTIVE SESSION.

On motion of Mr HAYNE, at 1:45 P. M., the Senate went into Executive Session.

After the disposal of Executive Business,

The Senate returned to open session.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

On motion of Mr. CARDOZO, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Incorporations on a Bill to amend an Act entitled "An Act to regulate the agencies of insurance companies, not incorporated in the State of South Carolina."

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on the Judiciary on a Bill to regulate the right of traverse.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Public Lands on a Bill ceding the jurisdiction of the State of South Carolina to the United States of America over such lands as may be acquired for public purposes by the said United States of America.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WIMBUSH, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on Incorporations on a Bill to declare the corporate privileges of the Camden Bridge Company at an end, and vest said privileges in the County of Kershaw.

The Report was read.

The question was taken on agreeing to the Report, decided in the affirmative, and the Bill accordingly rejected.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Bill to incorporate the Workingmen's Mutual Benefit Life Assurance Association of South Carolina.

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on Incorporations.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Public Lands on a Bill to dispose of the lands forfeited to the State.

The Report was read, and the Bill taken up for a second reading.

On motion of Mr. WHITTEMORE, the further consideration of the Bill was postponed to Tuesday, February 7, 1871.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on the Judiciary on a Joint Resolution au-

thorizing the State Librarian to purchase certain volumes of State Reports.

The Report was read, and the Joint Resolution taken up for a second reading.

The Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That the Resolution be engrossed for a third reading.

On motion of Mr. SMALLS, the Senate proceeded to the consideration, out of its order, of

Report of Committee on the Judiciary on a Bill to authorize County Commissioners to assume and pay obligations contracted under the late Township Act.

The Report was read, and the Bill taken up for a second reading.

On motion of Mr. SMALLS, the further consideration of the Bill was postponed, and made the Special Order for Tuesday, February 7, 1871, at 1 P. M.

On motion of Mr. BURROUGHS, at 2.15 P. M., the Senate adjourned.

THURSDAY, FEBRUARY 2, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by Hon. A. J. RANSIER, President.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

On motion of Mr. JOHNSTON, the reading of the Journal of yesterday was dispensed with.

Mr. SWAILS asked and obtained leave of absence for the Senator from Darlington for five days, on account of important business.

Mr. WILSON asked and obtained leave of absence for this day, on account of indisposition.

COMMUNICATION.

The PRESIDENT laid before the Senate a communication from the Attorney-General, with his opinion upon the question of the right of Hon. George F. McIntyre to a seat in the Senate as Senator from Colleton County, as called for by Senate Resolution of the 25th ultimo.

Ordered for consideration to-morrow, and to be printed.

PETITIONS, &c.

The PRESIDENT laid before the Senate a statement of the expenditures of the County Commissioners of Lancaster County; which was ordered to be printed, and copies laid on the desks of Senators.

REPORTS OF COMMITTEES.

W^r. WIMBUSH, from the Committee on Incorporations, to whom was referred the petition of the Mechanics' Union, No. 1, Charleston, S. C., praying an Act of incorporation, reported back the same, accompanied by a Bill, and a recommendation that the Bill do pass.

A Bill to incorporate the Mechanics' Union, No. 1, of Charleston, S. C

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred the Petition of Henry A. Middleton, praying a renewal of charter of the Combahee Ferry, reported back the same, accompanied by a Bill, and a recommendation that the Bill do pass.

A Bill to recharter the Combahee Ferry.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. GREENE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading:

A Bill to regulate the right of traverse;

A Bill to incorporate the Charleston Cleansing Company, of the city of Charleston;

A Bill to recharter Moore's Ferry, under the name of Dinkins' Ferry, over the Catawba River;

A Bill ceding the jurisdiction of the State of South Carolina to the United States of America over such lands as may be acquired, for public purposes, by the said United States of America.

The above Bills received their third reading, passed,

Ordered, That the titles thereof be changed to that of Acts, and that they be enrolled.

Mr. GREENE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading :

A Bill to amend the charter of the German Evangelical Lutheran Church, of Charleston ;

A Bill to amend an Act entitled " An Act to regulate the agency of insurance companies not incorporated in the State of South Carolina ;"

A Bill to amend an Act entitled " An Act to authorize the Commissioners of Public Buildings for Williamsburg District to sell certain portions of the public grounds," passed the 22d day of December, A. D. 1859.

The above Bills received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. GREENE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Joint Resolution authorizing the State Librarian to purchase certain volumes of State Reports.

The Joint Resolution received its third reading.

On motion of Mr. LESLIE, the Resolution was recommitted to the Committee on the Judiciary, with instructions to specify what volumes of State Reports of Law and Equity are necessary to complete the set in the Legislative Library.

Mr. HAYNE, from the Joint Committee appointed under Concurrent Resolution to investigate the affairs of the State Penitentiary, submitted a Report and evidence taken by the Committee, with a request that, as the Committee fail to find any of the allegations preferred against the Superintendent and Directors of the Penitentiary sustained by the evidence, the Committee be discharged.

Ordered for consideration to-morrow, and to be printed.

BILLS INTRODUCED.

Mr. SWAILS, pursuant to notice, introduced

Bill to amend Title V of I Part of the Code of Procedure

The Bill received its first reading, was ordered for a second reading, and consideration to-morrow, and to be printed.

Mr. DUNCAN, pursuant to notice, introduced

Bill to alter and amend the Code of Procedure of the State of South Carolina.

The Bill received its first reading, was ordered for a second reading, and consideration to-morrow, and to be printed.

Mr. DICKSON asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Joint Resolution directing part of a certain tax to be devoted to the erection of a court house and jail at Manning.

The Joint Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. CARDOZO, pursuant to notice, introduced
Bill to amend an Act entitled "An Act to provide for the conversion of State securities ;"

Bill to provide for the appointment of a Superintendent of State House and Grounds.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. SWAILS gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to authorize and empower David Jacobs to open and carry on the business of a Loan Office in this State.

UNFINISHED BUSINESS.

The Senate resumed the consideration of the Unfinished Business, to wit :

A Bill to make appropriation for the payment of the per diem and mileage of the members of the General Assembly, and the salaries of the subordinate officers, and other expenses incidental thereto.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On the question of agreeing to the recommendation of the Committee on Finance, to amend the Bill by filling the blank in Section 1, with the words and figures "one hundred and twenty-five thousand (125,000) dollars."

After debate, participated in by Messrs. Smalls, Swails, Wimbush, Leslie,

Mr. HAYNE moved, as an amendment to the recommendation of the Committee on Finance, to strike out the words "twenty-five," so as to fill the blank with the words and figures "one hundred thousand (100,000) dollars,"

After further debate, participated in by Messrs. Smalls, Leslie,

Mr. CARDOZO moved that the further consideration of the Bill be postponed, and made the Special Order for Monday next, at 1 P. M.

The question was taken on agreeing to the motion of the Senator from Kershaw, and decided in the negative.

Mr. SWAILS moved that the vote whereby the Senate refused to postpone the further consideration of the Bill, and make it the Special Order for Monday next, at 1 P. M., be reconsidered, and the motion for reconsideration be laid on the table.

On the question of agreeing to the motion of the Senator from Williamsburg,

Mr. SWAILS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Barber, Dickson, Duncan, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, McIntyre, Owens, Swails, Wimbush —13.

Nays—Messrs. Arnim, Bieman, Burroughs, Cardozo, Duvall, Foster, Nash, Smalls.—8.

So the motion to reconsider was laid on the table.

The question recurred on agreeing to the amendment of the Senator from Marion.

The amendment of the Senator from Marion was withdrawn.

The question recurred on agreeing to the recommendation of the Committee on Finance, to amend the Bill by filling the blank in Section 1, with the words and figures "one hundred and twenty-five thousand dollars (125,000.)"

After further debate, participated in by Messrs. Nash, Cardozo, Leslie, Mr. SWAILS called for the previous question.

Mr. CARDOZO rose to a question of order, and desired the decision of the President as to whether the call for the previous question can be entertained in the Senate.

The PRESIDENT ruled that the Senate, sitting in *quasi* Committee, the call for the previous question was in order, and read, for the information of the Senate, extract from Barclay's Digest, page 94.

Mr. NASH appealed from the decision of the chair.

The appeal of the Senator from Richland was subsequently withdrawn.

The call for the previous question was sustained.

On the question, "Shall the main question be now put?"

It was decided in the affirmative.

On the question of agreeing to the recommendation of the Committee on Finance to amend the Bill by filling the blank in Section 1 with the words and figures "one hundred and twenty-five thousand dollars (\$125,000),"

Mr. SMALLS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Arnim, Burroughs, Dickson, Duncan, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, McIntyre, Owens, Swails, Wimbush—14.

Nays—Messrs. Bieman, Cardozo, Duvall, Foster, Nash, Smalls—6.

So the amendment of the Committee on Finance was agreed to.

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

On motion of Mr. JOHNSTON, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on Incorporations on a Bill to incorporate the Charleston Water Company, in the City and County of Charleston, South Carolina.

On motion of Mr. SMALLS, the Report and Bill were re-committed to the Committee on Incorporations.

On motion of Mr. SMALLS, the Senate proceeded to the second reading and consideration of

A Bill to authorize Sylvanus Mayo to build a wharf in the Town of Beaufort.

The Bill received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That it be engrossed for a third reading.

The Senate proceeded to the second reading and consideration of

A Bill to renew and extend an Act to provide a mode by which to perpetuate testimony in relation to Deeds, Wills, Choses in Action, and other papers and records destroyed or lost during the recent war

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. HAYES, the Bill was amended by the addition of the following Section :

“SECTION 2. That said Act be further amended so as to dispense with the personal service of any notice required under the provisions of said Act, and in all cases in which such notice shall be left at the usual place of residence or business of the defendant, the same shall be valid in law, to all intents and purposes, as if served upon the person of such defendant ”

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WIMBUSH, at 2:25 P. M., the Senate adjourned.

FRIDAY, FEBRUARY 3, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

Mr. NASH asked and obtained leave of absence for the Senator from Marlboro for five days, on account of important business.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned to the Senate, with concurrence,

Concurrent Resolution to appoint a Committee to investigate the Sinking Fund Commission.

The PRESIDENT announced Messrs. Wimbush, Wilson, Arnim, Committee on the part of the Senate.

The House returned, with concurrence,

Senate Concurrent Resolution to appoint a Special Joint Committee to investigate the operations of the County Commissioners of Charleston County.

The PRESIDENT announced Messrs. Hayne and Leslie Committee on the part of the Senate.

The House sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., February 3, 1871.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that Messrs. W. H. Jones, Jr., Keith, Andell, Adamson and Reedish have been appointed Committee to meet a similar Committee on the part of your honorable body to investigate the Sinking Fund Commission.

Very Respectfully, &c.,

F. J. MOSES, JR.,
Speaker House of Representatives.

PETITIONS, &c.

The PRESIDENT laid before the Senate

Statements of the expenditures of the County Commissioners of Marion and Oconee Counties; which were ordered to be printed, and copies laid on the desks of Senators.

The PRESIDENT also laid before the Senate

Communication from W. C. Courtney, Esq., in reply to Concurrent

Resolution, adopted by both Houses of the General Assembly, relative to **the** assets of the Bank of the State of South Carolina.

The communication was read, ordered to be printed, and referred to **the** Committee on Finance.

The **PRESIDENT** also laid before the Senate

Memorandum of agreement between the Republican Printing Company and the Clerk of the Senate and Clerk of the House of Representatives, for the current and permanent printing of the General Assembly.

The Memorandum was read, ordered for consideration on Monday next, and to be printed.

REPORTS OF COMMITTEES.

Mr. **GREENE**, from the Committee on Finance, to whom was referred a Joint Resolution directing that funds known as "Canby School Fund," remaining in the hands of County Treasurers, be appropriated to the free school fund, reported back the same, with a recommendation that the Resolution do pass.

Ordered for consideration on Monday next.

Mr. **CARDOZO**, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to make appropriation for the payment of the per diem and mileage of the members of the General Assembly, and the salaries of the subordinate officers, and other expenses incidental thereto;

A Bill to authorize Sylvanus Mayo to build a wharf in the town of Beaufort;

A Bill to renew and extend an Act to provide a mode by which to perpetuate testimony in relation to deeds, wills, choses in action, and other papers destroyed or lost during the recent war.

Ordered for consideration on Monday next.

NOTICES OF BILLS.

Mr. **CARDOZO** gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to provide for the government of the South Carolina Institution for the education of the Deaf and Dumb and the Blind.

Mr. **NASH** gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to incorporate the Columbia Street Railway Company;

A Bill to incorporate the Hampton Chemical and Soap Company.

Mr. **CARDOZO** gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

Joint Resolution to make an appropriation for the Lunatic Asylum.

JOURNAL OF THE SENATE, RESOLUTIONS.

Mr. HAYNE introduced the following Resolution :

Whereas, certain irregularities are alleged to have taken place in the office of the County Commissioners of Charleston ; therefore,

Be it resolved by the Senate, the House of Representatives concurring, That a Committee of two on the part of the Senate, and ——— on the part of the House of Representatives, be appointed to investigate the operations and affairs of the County Commissioners of Charleston County, with power to administer oaths, and to send for persons and papers.

On motion of Mr HAYNE, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Bill to regulate the granting of divorces.

The Bill was taken up for a second reading.

On motion of Mr. CARDOZO, the further consideration of the Bill was postponed, and made the Special Order for Wednesday, February 8, 1871, at 1 P M.

On motion of Mr. WIMBUSH, the Senate proceeded to the consideration, out of its order, of

A Bill to amend an Act entitled "An Act to incorporate the Enterprise Railroad Company, of Charleston, S C.," approved March 1, 1870.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. HAYNE, the Senate proceeded to the consideration, out of its order, of a Report of the Joint Committee appointed under Concurrent Resolution to investigate the affairs of the Penitentiary.

The Report was read, and taken up for consideration.

After debate, participated in by Messrs. Swails, Hayne,

The question was taken on agreeing the Report, and decided in the affirmative.

On motion of Mr. HAYNE, the vote whereby the Senate agreed to the Report was reconsidered,

After further debate, participated in by Messrs. Leslie, Johnson, Swails,

Mr. SWAILS moved that the further consideration of the Report be postponed, and made the Special Order for Tuesday, February 7, at 1 P. M.

Mr. HAYNE moved that the further consideration of the motion of the Senator from Williamsburg be indefinitely postponed.

The motion of the Senator from Marion was subsequently withdrawn.

The question recurred upon agreeing to the motion of the Senator from Williamsburg.

The motion of the Senator from Williamsburg to postpone, and make the Report the Special Order for Tuesday, February 7, at 1 P. M., was withdrawn.

The question recurred on agreeing to the Report

After further debate, participated in by Messrs. Hayne, Swails, Leslie,

On the question of agreeing to the Report,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs Arnim, Burroughs, Cardozo, Dickson, Duvall, Foster, Greene, Hayne, Johnston, Montgomery, McIntyre, Nash, Owens, Rose, Smalls, Wimbush.—16.

Mr. Leslie voted in the negative

So the Report was agreed to.

On motion of Mr. HAYNE, the Senate proceeded to the consideration of Report of the Committee on Privileges and Elections on the right of the Hon. Geo. F. McIntyre to a seat in the Senate, with the opinion of the Attorney-General.

The opinion of the Attorney-General was read.

Mr. HAYNE moved that the further consideration of the Report be postponed, and made the Special Order for Monday, February 13, 1871.

After debate, participated in by Messrs Leslie, Hayne, Johnston,

The motion of the Senator from Marion was withdrawn.

On the question of agreeing to the Report,

After further debate, participated in by Messrs. Leslie, Swails, Hayne,

On motion of Mr. SWAILS, a call of the Senate was ordered.

The PRESIDENT announced a quorum present.

The Senate resumed the consideration of the Report of the Committee on Privileges and Elections on the right of Hon. Geo. F. McIntyre to a seat in the Senate, together with the opinion of the Attorney-General thereon.

Pending debate, participated in by Messrs. Leslie, Swails, Smalls,

On motion of Mr. WIMBUSH, the consideration of the Report was postponed for the purpose of making a motion.

Mr. WIMBUSH moved that when the Senate adjourn, it shall stand adjourned to meet on Monday next, at 12 M.

On the question of agreeing to the motion of the Senator from Chester, Mr. SWAILS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs Bieman, Burroughs, Dickson, Duncan, Greene, Hayne, Johnston, Leslie, Montgomery, McIntyre, Swails, Wimbush—12.

Nays—Messrs. Cardozo, Duvall, Nash, Smalls—4.

So the motion of the Senator from Chester was agreed to.

Mr. SWAILS moved that the Senate adjourn.

On the question of agreeing to the motion of the Senator from Williamsburg,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs Burroughs, Greene—2.

Nays—Messrs. Bieman, Cardozo, Dickson, Duncan, Duvall, Hayne, Johnston, Leslie, Montgomery, McIntyre, Nash, Owens, Smalls, Swails, Wimbush—15.

So the Senate refused to adjourn.

The Senate resumed the consideration of the Report of the Committee on Privileges and Elections on the right of Hon. George F. McIntyre to a seat in the Senate, together with the opinion of the Attorney-General

On motion of Mr. SMALLS, the further consideration of the Report and Opinion was postponed, and made the Special Order for Monday, February 13, 1871, at 1 P. M.

On motion of Mr. HAYNE, at 3:30 P. M., the Senate adjourned.

MONDAY, FEBRUARY 6, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Rev. Mr. Bulkley.

The Clerk read a portion of the Journal of Friday, February 3, 1871.

On motion of Mr. JOHNSTON, the further reading of the Journal was dispensed with.

PETITIONS, &c.

Mr. SWAILS presented the Report of the County Commissioners of Williamsburg County of the receipts and expenditures of said County; which was ordered to be printed, and copies laid on the desks of Senators.

Mr. WILSON presented copy of the Presentment of the Grand Jury of Anderson County, at the January term of the Court, 1871; which was referred to the Committee on the Judiciary.

Mr. NASH presented the Report of the Board of County Commissioners of Richland County of the receipts and expenditures of the said County; which was ordered to be printed, and copies laid on the desks of Senators.

REPORTS OF COMMITTEES.

Mr. CARDOZO, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed and ready for ratification:

An Act to incorporate the Charleston Cleansing Company, of the city of Charleston;

An Act to recharter Moore's Ferry, under the name of Dinkins' Ferry, over the Catawba River;

An Act to regulate the right of traverse;

An Act to incorporate the South Carolina Saving and Building Association, No. 2;

An Act to renew and amend the charter of the town of Spartanburg.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate, to assist in the ratification of the above Acts.

Mr. GREENE, from the Committee on Finance, to whom was referred House Joint Resolution ordering that the Hon. James L. Orr, Judge of the Eighth Judicial Circuit, be allowed extra compensation for holding extra Courts, reported back the same, with a recommendation that the Resolution do pass.

Ordered for consideration to-morrow.

Mr. LESLIE, from the Special Committee, to whom was referred a Bill to alter and amend an Act entitled "An Act to alter and amend the charter and extend the limits of the city of Columbia," reported back the same, with the recommendation that the Bill do pass, with the following amendments:

Insert, in line 1, Section 4, between the words "make" and "oath," the words "discovery upon."

Insert, in line 3, same Section, after the word "Columbia," the words "according to his assessed value thereof."

Strike out all that portion of Section 4, from the word "to," in the 5th line, to the word "and," in the 7th line, and insert, in lieu thereof, the words, "a penalty of ten per cent., to be collected in the manner hereinafter, in this Section, provided for the collection of taxes, fines and licenses."

Strike out the word "such," in the 13th line, Section 4, and insert the word "all."

Insert, between the words "taxes" and "shall," in line 13, Section 4, the words "fines and licenses."

Insert, in line 14, Section 4, between the words "Columbia" and "and," the words "and shall be lodged in the office of the Sheriff of Richland County."

Insert, in line 14, Section 4, between the words "directed" and "to," the words, "to the said Sheriff or."

Insert, in line 19, Section 4, after the word "paid," the words, "for the term of one year from the time at which the same may be assessed and levied."

Strike out, in line 19, the word "other"

Insert, after the word "taxes," in the 19th line, the words, "and licenses."

Strike out, in line 20, the words "or a majority of them"

Insert in line 2, after the word "advance," the words "on or before the fifteenth day of March after the assessment of said taxes."

Insert in line 25, after the word "ejectment," the words "directed to the Chief of Police or any other officer of the city."

Add to the 5th Section the following words: "*Provided, further, That the tax payers of the said city of Columbia shall not be taxed for the support of the poor outside of the corporate limits of the the said city.*"

Strike out, in line 6, Section 7, the word "for."

Strike out, in line 8, Section 7, the words "or a majority of them."

Strike out, in line 11, Section 7, the words "open and."

Insert, in line 14, Section 7, after the word "use," the words "subject, however, to the two provisos contained in the first Section of this Act."

Strike out, in line 17, Section 7, the word "law," and insert in lieu thereof the following words: "Their Ordinances passed pursuant to law."

Strike out all those words from the word "require," line 19, Section 7, to the word "and," in the 20th line.

Strike out all after the word "is," in line 24, Section 7, to the word "and," in line 31, same Section, and insert in lieu thereof the words "provided in the 6th Section of the Act for the collection of other fines."

Strike out, in line 38, Section 7, the word "and," being the third word in the line.

Strike out all those words from the word "be," in line 38, Section 7, to the word "and," line 39, and insert the word "done."

Strike out, in line 39, Section 7, the words "price of making or repairing," and insert in lieu thereof the words "cost of the work."

Strike out the words "of debt" in the forty-first line, Section 7.

Insert, in line forty-two, Section 7, between the words "lowest" and "bidder," the word "responsible."

Strike out all, in the 7th Section, after the word "bidder," in the forty-second line.

Insert, in line ten, Section 10, between the words "manner" and "before," the words "to the extent of forty dollars."

Strike out the whole of Section 11.

Insert, before the word "all," in line one, Section 13, the word "that."

Insert, between the word "Act," in line one, Section 13, and the word "are," line two, Section 13, the words "be, and the same."

Add to the 12th Section the following words: "Excepting so much of the said ordinance as relates to licenses for hotel keepers, livery stables and retail dealers, the license for which shall be dollars for hotel keepers who accommodate over one hundred guests ; dollars for hotel keepers who accommodate one hundred or less than one hundred guests ; dollars for livery stables ; and dollars for retail dealers.

Ordered for consideration to-morrow, and to be printed.

Mr. NASH, from the Special Committee appointed to investigate the moneyed transactions of the Committee appointed to investigate the electoral affairs of the Third Congressional District, submitted the Report of that Committee, accompanied by the Statement of the State Treasurer and sundry affidavits

Ordered for consideration to-morrow, and the Reports and affidavits to be printed.

Mr. CARDOZO, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to amend an Act entitled "An Act to incorporate the Enterprise Railroad Company, of Charleston, S. C.," approved March 1, 1870.

On motion of Mr. SWAILS, the Bill was recommitted to the Committee on Incorporations.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Messages Nos. 36 and 37 from His Excellency the Governor were presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

Message No. 36 was read, as follows :

STATE OF SOUTH CAROLINA,

EXECUTIVE DEPARTMENT,

COLUMBIA, February 6, 1871.

Gentlemen of the Senate :

I respectfully transmit for your examination and consideration copies of the accounts and charges of sundry public officers and Magistrates of Charleston County for salaries, fees and perquisites, for a period of a little over twelve months, which, in my opinion, are deserving your attention. A perusal of the County accounts shows that there has been drawn from the Treasury for

Main roads, from August 23, 1869, to October 20, 1870.....	\$50,384
Bridges, from September 27, 1869, to October 3, 1870.....	57,841
Public buildings, from August 27, 1869, to October 17, 1870.....	28,679
Constables, from August 31, 1869, to October 31, 1870.....	23,339
Trial Justices, from August 24, 1869, to October 29, 1870.....	15,527
Sheriff, from October 13, 1869, to October 14, 1870.....	39,737
Clerk of Court, from August 29, 1869, to September 22, 1870.....	17,734
Coroner, from August 27, 1869, to October 4, 1870.....	5,600

These amounts are of startling magnitude, and it is worthy of consideration, whether they cannot be, consistently with the public interests, materially reduced.

As an illustration, I would cite the case of the Sheriff, who is allowed for dieting prisoners confined in the County Jail, by the Act approved March 27, 1869, at the rate of fifty cents per day, when it is recollected that the Federal Government pays but 30 cents per day for the subsistence of a United States soldier, and when the character of the food furnished to the soldiers and prisoners respectively is taken into consideration, there cannot be a doubt that a ration fully equivalent in character and quantity to that furnished to the inmates of the jail, could be readily furnished at twenty-five cents, and even lower.

I have the honor to be,

Very respectfully,

ROBERT K. SCOTT,

Governor.

Ordered, That the Message and accompanying documents be printed, and copies laid on the desks of Senators.

The PRESIDENT announced that Message No. 37 related to Executive business.

BILLS INTRODUCED.

Mr. DICKSON asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to authorize and empower certain County Commissioners to subscribe to the capital stock of the South Carolina Central Railroad Company, to issue bonds, and to provide for the interest and principal thereon.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. NASH, pursuant to notice, introduced

A Bill to incorporate the Huntoon Chemical and Soap Company, of South Carolina ;

A Bill to incorporate the Columbia Street Railway Company.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. CARDOZO, pursuant to notice, introduced

Joint Resolution to make appropriation for the Lunatic Asylum ;

Bill to provide for the government of the South Carolina Institution for the Education of the Deaf, and Dumb and the Blind.

The above Joint Resolution and Bill received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. SWAILS, pursuant to notice, introduced

A Bill to authorize and empower David Jacobs to open and carry on the business of a Loan Office in this State.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

GENERAL ORDERS.

The Senate proceeded to the consideration of General Orders on the Calendar.

A Bill to make appropriation for the payment of the per diem and mileage of the members of the General Assembly, and the salaries of the subordinate officers, and other expenses incidental thereto.

The Bill received its third reading.

On the question of agreeing to the passage of the Bill,

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Arnim, Bieman, Burroughs, Cardozo, Foster, Greene, Holcombe, Johnston, Leslie, Montgomery, McIntyre, Nash, Owens, Rose, Swails, Wilson.—16.

Nays—Messrs. Duvall, Small.—2.

So the Bill passed, and was ordered to be sent to the House of Representatives.

Bill to renew and extend an Act to provide a mode by which to perpetuate testimony in relation to deeds, wills, choses in action, and other papers destroyed or lost during the recent war.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Bill to authorize Sylvanus Mayo to build a wharf in the town of Beaufort.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

On motion of Mr. SWAILS, the Senate proceeded to the consideration, out of their order, of

Bill to provide for an enrollment tax.

Read by its title, and referred to the Committee on Finance.

Bill to incorporate the Saving, Building and Loan Association, of South Carolina.

Read by its title, and referred to the Committee on Incorporations.

Bill to establish a ferry across the Catawba River, near the late John S. Perry's mill, and for other purposes therein mentioned.

Read by its title, and referred to the Committee on Roads, Bridges and Ferries.

Bill to require an additional report from the County Commissioners of the Counties of Pickens and Oconee.

Read by its title, and referred to the Committee on County Offices and Officers.

Bill to amend Title V of Part I of the Code of Procedure.

Read by its title, and referred to the Committee on the Judiciary.

On motion of Mr. ARNIM, the Senate proceeded to the consideration, out of their order, of

Bill to alter and amend the Code of Procedure of the State of South Carolina.

Read by its title, and referred to the Committee on the Judiciary.

Joint Resolution directing part of a certain tax to be devoted to the erection of a Court House and Jail at Manning.

Read by its title, and referred to the Committee on Finance.

Bill to provide for the appointment of Supervisor of State House and Grounds.

Read by its title, and referred to the Committee on Public Buildings.

Bill to amend an Act entitled "An Act providing for the conversion of State securities."

Read by its title, and referred to the Committee on Finance.

On motion of Mr. CARDOZO, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on Charitable Institutions on the Concurrent Resolution to afford State aid to persons driven from their homes.

The Report was read.

On motion of Mr. SWAILS, the Report was laid on the table, and the Resolution taken up for consideration.

Mr. GREENE moved that the Resolution be laid on the table.

On the question of agreeing to the motion of the Senator from Orangeburg,

Mr. SMALLS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas.—Messrs. Arnim, Bieman, Burroughs, Cardozo, Duvall, Foster, Greene, Holcombe, Leslie, McIntyre, Owens, Rose, Swails, Wilson.—14.

Nays.—Messrs. Johnston, Nash, Smalls.—3.

So the Resolution was ordered to lie on the table.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M., to wit :

Report of the Committee on Finance on a Bill to repeal an Act to provide for a sinking fund, and the management of the same.

Mr. SWAILS moved that the further consideration of the Report and Bill be postponed, and made the Special Order for Wednesday, February 8, 1871, at 1 P. M.

The motion of the Senator from Williamsburg was not agreed to.

On motion of Mr. LESLIE, the Report was laid on the table, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. SWAILS moved that the further consideration of the Bill be postponed, and made the Special Order for Monday, February 13, 1871, at 1 P. M.

After debate, participated in by Messrs. Swails, Johnston, Leslie, Nash,

Mr. NASH moved that the further consideration of the motion of the Senator from Williamsburg be indefinitely postponed.

On the question of agreeing to the motion of the Senator from Richland,

Mr. SWAILS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas.—Messrs. Arnim, Bieman, Burroughs, Cardozo, Duvall, Foster, Hayes, Holcombe, Leslie, Montgomery, McIntyre, Nash, Rose, Swails, Wilson—15.

Nays—Messrs. Greene, Johnson—2.

So the further consideration of the motion of the Senator from Williamsburg was indefinitely postponed.

On motion of Mr. ARNIM, the Bill was amended by the addition of the following Section :

SECTION 2. That the books, papers and accounts of the Sinking Fund Commission be forthwith turned over to the State Treasurer.

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

Mr ARNIM gave notice that, on the third reading of a Bill to repeal an Act to provide for a Sinking Fund, and the management of the same, he would offer sundry amendments.

The Senate proceeded to the consideration of

Report of the Committee on Finance on Joint Resolution directing that funds known as Canby School Fund, remaining in the hands of County Treasurers, be appropriated to the free school fund.

The Report was read, and the Resolution taken up for a second reading.

The Resolution received its second reading, and was considered ~~se~~ in Committee of the Whole.

There being no amendments,

Ordered, That it be engrossed for a third reading.

The Senate proceeded to the consideration of

Memorandum of agreement between Clerks of Senate and House of Representatives and Republican Printing Company.

The question was taken on approval of the contract, and decided in the affirmative.

Ordered, That it be sent to the House of Representatives for concurrence.

Report of the Committee on Claims and Grievances on the Report of House Committee on the account of J. H. Leland.

The question was taken on agreeing to the Report of Senate Committee, and decided in the affirmative.

Ordered, That the account be returned to the House of Representatives.

Report of the Committee on Claims on the account of Thomas S. Lewis.

The question was taken on agreeing to the Report, and decided in the affirmative.

Ordered, That the claim be referred to the State Superintendent of Education.

Report of Committee on Claims and Grievances on the Report of the House Committee on accounts of J. H. Ashmore and W. T. Bates.

The question was taken on agreeing to the Report, and decided in the affirmative.

Ordered, That the accounts be returned to the House of Representatives.

Report of Committee on Claims and Grievances on the account of John Dooly.

The question was taken on agreeing to the Report, decided in the affirmative, and the account accordingly rejected.

Report of Committee on the Judiciary on a Bill to regulate and determine what shall constitute a legal day's labor in this State.

The question was taken on agreeing to the Report, and decided in the affirmative.

Ordered, That the Bill do lie on the table, and a message sent to the House of Representatives accordingly.

Report of Committee on the Judiciary on a Bill to regulate the call docket of the Supreme Court.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Joint Resolution to provide for the publication of the decisions of the Supreme Court, delivered during the years 1868, '69 and '70.

On motion of Mr. LESLIE, the further consideration of the Resolution was postponed, and made the Special Order for to-morrow at 1 P. M.

Bill to relinquish all the right, title and interest of the State of South Carolina in and to certain real estate, whereof one Napoleon B. Pouncey died seized, and vest the same in certain persons therein named.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Report of Committee on Finance on a Joint Resolution relative to the re-shelving of the State Library.

The Report was read, and the Resolution taken up for a second reading.

On motion of Mr. LESLIE, the Resolution was ordered to lie on the table.

Report of Committee on Claims and Grievances on a Joint Resolution to authorize the State Treasurer to pay fifty dollars out of the Treasury to Henry Newton.

The Report was read, and the Resolution taken up for a second reading.

The Resolution received its second reading.

After debate, participated in by Messrs. Smalls, Leslie, Hayes,

On motion of Mr. SMALLS, the further consideration of the Resolution was postponed for thirty minutes.

Report of the Committee on Incorporations on a Bill to incorporate the Logan Fusileers, of St. Thomas and St. Dennis, Charleston County.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, and was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

EXECUTIVE SESSION.

At 2:25 P. M., on motion of Mr. ARNIM, the Senate went into Executive Session.

After the disposal of Executive Business, the Senate returned to open session.

On motion of Mr. ROSE, at 2:40 P. M., the Senate adjourned.

TUESDAY, FEBRUARY 7, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by Hon. A. J. RANSIER, President.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Clerk read a portion of the Journal of yesterday.

On motion of Mr. CARDOZO, the further reading of the Journal was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned to the Senate,

An Act to amend an Act entitled "An Act to establish a State Orphan Asylum."

Ordered, That it be enrolled for ratification.

The House sent to the Senate,

A Bill to authorize the purchase for the State of a manuscript compilation of the Penal Statutes of the State, made by E. B. Seabrook, Esq., of the Charleston Bar.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

The House returned to the Senate, with amendments,

Joint Resolution authorizing the Keeper of the State House to purchase fifteen tons of coal for the use of the General Assembly and State officers.

The question was taken on concurrence in House amendment, decided in the negative, and a message sent to the House of Representatives accordingly.

The House returned, with concurrence and approval, contract and memorandum of agreement between the Republican Printing Company and Josephus Woodruff and A. O. Jones, Clerks of the Senate and House of Representatives.

The House sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., February 6, 1871.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that the enacting clause of a Senate Bill to repeal an Act entitled "An Act to establish a State Police" has been stricken out in this House.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker House of Representatives.

PETITIONS, &c.

The PRESIDENT laid before the Senate

Statement of the receipts and expenditures of the County Commissioners of Barnwell County.

Mr. WIMBUSH presented the Report of the County Commissioners of Chester County of the receipts and expenditures of said County.

Mr. BARBER presented the Report of the County Commissioners of Fairfield County of the receipts and expenditures of said County.

Mr. FOSTER presented the Report of the County Commissioners of Spartanburg County of the receipts and expenditures of said County.

The above Statements and Reports were ordered to be printed, and copies laid on the desks of Senators.

Mr. WHITTEMORE presented the petition of the Guardian of the

Free School in Charleston, praying that the law be so amended as to give the Board of School Commissioners of Charleston County power to levy and collect a tax to make up any deficiency that may arise from State appropriation for city schools; also, to elect its own Chairman and Superintendent of City Schools, and to allow the Chairman of the Board to select text books.

The petition was read, ordered to be printed, and copies laid on the desks of Senators.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to incorporate the Logan Fusileers, of the Parish of St. Thomas and St. Dennis, Charleston County.

The Bill received its third reading, passed,

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to relinquish all the right, title and interest of the State of South Carolina in and to certain real estate whereof one Napoleon B. Pouncey, of Horry, died seized, and vest the same in certain persons therein named.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Mr CARDOZO, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification,

An Act to renew and extend an Act to provide a mode by which to perpetuate testimony in relation to deeds, wills, choses in action and other papers destroyed or lost during the recent war.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate, to assist in the ratification of the above Act.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to incorporate the Savings, Building and Loan Association of South Carolina, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was recommitted, on the third reading, a Bill to amend an Act entitled "An Act to incorporate the Enterprise Railroad Company, of Charleston, S. C.," approved March 1st, 1870, reported back the same with a recom-

mentation that Section 6 of the Bill be stricken out, and that the Bill, so amended, do pass.

Ordered for consideration to-morrow.

Mr. GREENE, from the Committee on Finance, to whom was referred a Bill to amend an Act entitled "An Act to provide for the conversion of State securities," reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. GREENE, from the Committee on Finance, to whom was referred a Joint Resolution directing part of a certain tax to be devoted to the erection of a Court House and Jail in Manning, reported back the same, with a recommendation that the Resolution do pass.

Ordered for consideration to-morrow.

BILLS INTRODUCED.

Mr. ROSE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Bill to authorize the State to purchase the stock of the Columbia Bridge Company, and to erect a bridge over the Congaree River.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Bill to enlarge and define the powers of the Charleston City Board of School Commissioners, and to allow said Board to levy a tax for the support of the free schools of the city of Charleston.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Bill to incorporate the Claflin University and State Agricultural College of South Carolina.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to amend an Act entitled "An Act for the better protection of migratory fish."

Mr. SWAILS gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to amend an Act entitled "An Act to regulate the Fees of Probate Judges, Clerks of Courts, Trial Justices, Magistrates and other officers herein mentioned," approved March 1, 1870.

Mr. GREENE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to incorporate the Union Gold Mining Company, of South Carolina.

RESOLUTIONS.

Mr. SWAILS offered the following Resolution :

Resolved, That the Clerk of the Senate be authorized to draw a pay certificate for four thousand dollars on account of current printing.

On motion of Mr. SWAILS, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Messages Nos. 38 and 39 from His Excellency the Governor were presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

Message No. 38, was read, as follows :

STATE OF SOUTH CAROLINA,

EXECUTIVE DEPARTMENT

COLUMBIA, February 7, 1871.

Gentlemen of the Senate :

In answer to the Resolution of the Senate, of December 22, 1870, "requesting His Excellency the Governor to communicate to the Senate information whether he has notified the proper authorities of the United States of the passage of the Act entitled 'An Act accepting the donation of lands to the State of South Carolina for the endowment of Agricultural Colleges,' approved December 10, 1868, and taken such other steps as may have been deemed necessary to obtain the land scrip to which the State of South Carolina is entitled, &c., and also to communicate to the Senate all other information in his possession concerning the said land scrip," I have the honor to state that, on the date of the ratification of said Joint Resolution, December 10, 1868, I addressed a letter to the Hon. O. H. Browning, Secretary of the Interior, U. S. A., officially notifying him of the fact, and enclosing him a copy of the Act, and that on the 13th day of December, 1868, the re-

ceipt of the same was duly acknowledged by the honorable Secretary, with the information that it had been referred to the Commissioner of the General Land Office for appropriate action. The correspondence with the Interior Department, on the subject of issuing the agricultural land scrip, was conducted by the Honorable Secretary of State, F. L. Cardozo, the Honorable Attorney-Genereal, D. H. Chamberlain, and myself, who were empowered by the Legislature to receive, sell and assign the whole or any part of the land scrip or warrants referred to. On the 13th of October, 1870, the land scrip, comprising 1,125 pieces, consisting of 180,000 acres, was duly received from the Federal Government, and transferred to the Financial Agent, by whom it has since been sold, and the proceeds invested in South Carolina State six per cent. stock. The price is not known, but will be communicated when reported by the Financial Agent.

The delay in answering the Resolution of the Senate has been occasioned by the necessity of referring to the Department of the Interior at Washington, and to the Financial Agent at New York, for copies of the correspondence between this Department and those parties respectively.

I have the honor to be,

Very respectfully,

ROBERT K. SCOTT,
Governor.

On motion of Mr. WHITTEMORE, the Message was ordered to be printed, and referred to the Committee on Public Lands.

The PRESIDENT announced that Message No. 39 related to Executive business.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

A Bill to incorporate the Scott Rifle Guards, of Sumter.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

A Bill to incorporate the Whipper Guards, of Christ Church Parish.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

A Bill to incorporate the Salamander Hook and Ladder Company, of Georgetown, South Carolina.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

A Bill to amend the charter of the Columbia Building and Loan Association.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. CARDOZO, the Senate proceeded to the consideration, out of its order, of

Joint Resolution to make appropriation for the Lunatic Asylum.

On motion of Mr. SWAILS, the Resolution was read by its title, and referred to the Committee on Finance.

On motion of Mr. SWAILS, Message No. 36 from His Excellency the Governor, with accompanying documents, were referred to the Committee on County Offices and Officers.

On motion of Mr. SWAILS, the Senate proceeded to the consideration, out of its order, of

Bill to provide for the government of the South Carolina Institution for the Education of the Deaf, the Dumb and the Blind.

On motion of Mr. SWAILS, the Bill was read by its title, and referred to the Committee on Charitable Institutions.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of their order, of

Bill to authorize and empower David Jacobs to open and carry on the business of a Loan Office in this State.

Read by its title, and referred to the Committee on the Judiciary.

Bill to incorporate the Columbia Street Railway Company.

Read by its title, and referred to the Committee on Railroads.

Bill to incorporate the Hampton Chemical and Soap Company, of South Carolina.

Read by its title, and referred to the Committee on Incorporations.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Special Committee appointed to investigate the moneyed transactions of the Committee appointed to investigate the electoral affairs of the Third Congressional District.

Mr. WHITTEMORE moved that the further consideration of the Report be postponed, and made the Special Order for to-morrow, at 1 P.M.

After debate, participated in by Messrs. Whittemore, Leslie, Swails,

The motion of the Senator from Darlington was withdrawn.

On motion of Mr. LESLIE, the Report was recommitted to the Special Committee, with instructions to send for and examine Mr. Joseph Crews, an important witness, and Chairman of the Committee appointed to investigate the electoral affairs of the Third Congressional District.

SPECIAL ORDERS.

The Senate proceeded to the consideration of the Special Orders for this day, at 1 P. M.

Bill to dispose of the lands forfeited to the State.

On motion of Mr. WHITTEMORE, the further consideration of the Bill was postponed, and made the Special Order for Monday, February 13, 1871, at 1 P. M.

Report of the Committee on the Judiciary on Bill to authorize County Commissioners to assume and pay obligations contracted under the late Township Act.

The Report was read, agreed to, and the Bill, accordingly, ordered to lie on the table.

Bill to amend an Act entitled "An Act to regulate the formation of corporations," approved December 10, 1869.

On motion of Mr. LESLIE, the further consideration of the Bill was postponed, and made the Special Order for to-morrow, at 1 P. M.

Joint Resolution (by Committee on the Judiciary) to provide for the publication of the decisions of the Supreme Court, delivered during the years 1868, '69, and '70.

The Resolution received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. WHITTEMORE, Section 1 was amended by the addition of the following words: "And the said printing shall be done by the Republican Printing Company."

There being no further amendments,

Ordered, That the Resolution be engrossed for a third reading.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

A Bill to charter the Jacksonville Ferry.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

A Bill to vest in the Charleston Land Company the charter of a ferry from Hamlin's Wharf, in the city of Charleston, to the follow-

ing points on the Wando River, to-wit: Scanlonville, Remley's Point, Venning's Landing and Daniel's Island Landing.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Bill to incorporate the Mechanics' Union, No. 1, of Charleston, South Carolina.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Bill to recharter Combahee Ferry.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Report of the Committee on Finance on House Joint Resolution ordering that the Hon. James L. Orr, Judge of the Eighth Judicial Circuit, be allowed extra compensation for holding extra Courts.

The Report was read, and the Resolution taken up for a second reading.

The Resolution received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Resolution be engrossed for a third reading.

Report of Special Committee on Bill to alter and amend an Act entitled "An Act to alter and amend the charter and extend the limits of the city of Columbia," approved February 26, 1870.

On motion of Mr. JOHNSTON, the further consideration of the Report and Bill was postponed, and made the Special Order for to-morrow, at 1:30 P. M.

On motion of Mr. SWAILS, the Senate proceeded to the consideration, out of its order, of

Bill to authorize and empower certain County Commissioners to subscribe to the capital stock of the South Carolina Central Railroad, to issue bonds, and to provide for the interest and principal thereon.

On motion of Mr. SWAILS, the Bill was read by its title, and referred to the Committee on Finance.

EXECUTIVE SESSION.

At 1:30 P. M., on motion of Mr. SWAILS, the Senate went into Executive Session.

After the disposal of Executive Business, the Senate returned to open session.

On motion of Mr. WHITTEMORE, at 1:40 P. M., the Senate adjourned.

WEDNESDAY, FEBRUARY 8, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Clerk read a portion of the Journal of yesterday.

On motion of Mr. CARDOZO, the further reading of the Journal was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following Message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., February 7, 1871.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that they insist on amendment to Senate Joint Resolution to authorize the State House Keeper to purchase fifteen tons of coal for the use of the General Assembly and State offices, and would inform your honorable body that said amendment was adopted by the House upon the statement of the Chairman of the Committee on Ways and Means that the State House Keeper had ordered fifty tons of coal, as said amount was necessary, and that the coal would soon arrive in Columbia, and the House desired to make provision for the debt already incurred.

Very respectfully,

F. J. MOSES, JR.,
Speaker of the House of Representatives.

Mr. LESLIE moved that the Senate insists on its refusal to concur, and that a message be sent to the House of Representatives accordingly.

Mr. WIMBUSH moved to amend the motion of the Senator from Barnwell by the addition of the words, "and respectfully asks that a Committee of Conference on the disagreeing votes of the two houses be appointed, on the part of the House, to meet a similar Committee to be appointed on the part of the Senate."

On the question of agreeing to the amendment of the Senator from Chester,

After debate participated in by Messrs. Leslie, Wimbush, Whittemore,

On motion of Mr. LESLIE, the further consideration of the message and Joint Resolution was postponed and made the Special Order for tomorrow at 1 P. M.

The House also sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, February 7, 1871.

Mr. President and Gentleman of the Senate :

The House of Representatives respectfully informs your honorable body that Messrs. Bosemon, Singleton, Yocom, Nerland, and Rivers have been appointed a Committee on the part of the House to meet a Committee appointed on the part of your honorable body to investigate certain transactions of the Charleston County Commissioners.

Very respectfully,

F. J. MOSES, JR.,
Speaker of the House of Representatives

PETITIONS, &c.

Mr. BARBER presented sundry accounts of the Sergeant-at-Arms, Fagan Bros., A. Palmer, and others, against the Senate, which were referred to the Committee on Contingent Accounts and Expenses.

REPORTS OF COMMITTEES.

Mr. CARDOZO, from the Committee on enrolled Acts, reported as duly and correctly enrolled, sealed and ready for ratification,

An Act to amend an Act entitled "An Act to re-establish a State Orphan Asylum";

An Act ceding the jurisdiction of the State of South Carolina to the United States of America over such lands as may be acquired for public purposes by the said United States of America.

A message was sent to the Speaker of the House of Representatives

inviting him to attend in the Senate to assist in the ratification of the above Acts.

Mr. CARDOZO, from the Committee on Charitable Institutions, to whom was referred a Bill to provide for the government of the South Carolina Institution, for the deaf, dumb and blind, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred a Bill to more effectually provide for the recording of all conveyances of real estate, reported back the same, with a recommendation that the Bill do pass, with the following amendments: to insert in line ten, Section 1, between the words "shall" and "be," the words "within forty-eight hours after it is made."

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred the following Bills and Joint Resolutions, reported back the same, with a recommendation that they do pass:

A Bill to enable judgment debtors to sell their real and personal property, and to confirm sales already made in conformity with conditions therein specified;

A Bill to authorize and empower David Jacobs to open and carry on the business of a loan office;

A Bill to amend an Act entitled "An Act to define the criminal jurisdiction of Trial Justices";

A Bill to alter and amend the Code of Procedure of the State of South Carolina;

A Bill to protect the rights of parents, and to prevent the procuring and carrying from the State persons under the age of twenty-one years;

Joint Resolution to vest in the heirs-at-law of Isaac McKnight lands sold for taxes.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred a Bill providing for the taxation of fire-arms, reported back the same with a recommendation that the blank in line three, Section 1, be filled with the word "ten," and the Bill, so amended, do pass.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred Concurrent Resolution to appoint a Special Committee to investigate the state of affairs in the Counties of Union and Spartanburg, reported back the same with a recommendation that the Resolution do pass.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Public Lands, to whom was referred a Bill to amend an Act entitled "An Act to provide for the appointment of a Land Commissioner, and to define his powers and duties," reported back the same accompanied by the following substitute :

A Bill to amend an Act entitled "An Act to provide for the appointment of a Land Commissioner, and to define his powers and duties."

The substitute received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, from the Committee on Public Lands, to whom was referred the following Joint Resolution and Bill, reported back the same, with a recommendation that they do pass :

Joint Resolution authorizing A. R. Taylor, Henry Arthur and others, to continue for a term of two years, two gates, erected by them across the Old State Road, in Lexington County, at the beginning and terminus of their planting lands ;

A Bill authorizing the County Treasurers to take charge of the lands of the State, purchased by the Land Commissioner of the State of South Carolina.

Ordered for consideration to-morrow.

Mr. OWENS, from the Committee on Roads, Bridges and Ferries, to whom was referred a Bill to establish a ferry across the Catawba River, near the late John S. Perry's mill, and for other purposes therein mentioned, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to amend an Act entitled "An Act establishing a line beyond which the wharves shall not be extended in the city of Charleston and for other purposes," ratified 21st December, A. D. 1836, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to incorporate the Hampton Chemical and Soap Company, of South Carolina, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. GREENE, from the Committee on Finance, to whom was referred a Joint Resolution to make appropriation for the Lunatic Asylum, reported back the same with a recommendation that the Resolution do lie on the table, and the following substitute do pass :

Joint Resolution making an appropriation of forty-seven thousand

dollars (\$47,000) for the completion of the State Lunatic Asylum, and for other purposes.

The Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. GREENE, from the Committee on Finance, to whom was referred a Bill to provide for an enrollment tax, reported back the same, accompanied by the following substitute, and a recommendation that the substitute do pass :

A Bill to authorize an enrollment tax.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to vest in the Charleston Land Company the charter of a ferry from Hamlin's Wharf, in the City of Charleston, to the following points on the Wando River, to wit: Scanlonville, Remley's Point, &c. ;

A Bill to recharter the Combahee Ferry ;

A Bill to recharter the Jacksonboro Ferry ;

A Bill to incorporate the Mechanics' Union, No. 1, of Charleston, S. C. ;

A Bill to regulate the call of the Docket of the Supreme Court ;

Joint Resolution to provide for the publication of the decisions of the Supreme Court, delivered during the years 1868, 1869 and 1870.

The above Bills and Joint Resolution received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed and ready for a third reading.

Bill to incorporate the Scott Rifle Guards of Sumter ;

Bill to incorporate the Whipper Guards of Christ Church Parish ;

Bill to amend the charter of the Columbia, Building and Loan Association ;

Bill to incorporate the Salamander Hook and Ladder Company, of Georgetown, S. C.

The above Bills received their third reading, passed,

Ordered, That the titles thereof be changed to that of Acts, and that they be enrolled for ratification.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly enrolled and ready for a third reading,

Joint Resolution, ordering that the Hon James L. Orr, Judge of the Eighth Judicial Circuit, be allowed extra compensation for holding extra Courts.

The Resolution received its third reading.

On the question of agreeing to the passage of the Resolution, and ordering it to be enrolled,

Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Nays—Messrs. Arnim, Bieman, Cardozo, Green, Hayes, Johnston, Montgomery, Nash, Rose, Swails, Whittemore, Wimbush.—14.

Nays—Messrs. Burroughs, Duncan, Holcombe, Owens, Smalls —5.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Joint Resolution directing that funds known as the Canby School Fund remaining in hands of County Treasurers be appropriated to the Free School Fund ;

Joint Resolution authorizing State Librarian to purchase certain volumes of State Reports.

The above Joint Resolutions received their third reading, passed,

Ordered, That they be enrolled for ratification.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to repeal an Act entitled “An Act to provide for a sinking fund, and the management of the same.

On motion of Mr. ARNIM, and in accordance with previous notice, the Bill was amended in Section 2 by inserting after the word “accounts” the words “bonds and money.”

The Bill, as amended, received its third reading, passed, and was ordered to be sent to the House of Representatives.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Messages Nos. 40, 41, 42, from His Excellency the Governor were presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Messages related to Executive Business.

BILLS INTRODUCED.

Mr. SWAILS asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to provide for a general license law.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. SWAILS, pursuant to notice, introduced

A Bill to amend an Act entitled “An Act to regulate the fees of Probate Judges, Clerks of Courts, Trial Justices, Magistrates, and other officers therein mentioned.”

The Bill received its first reading, was ordered for a second reading, and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to amend an Act entitled "An Act for the better protection of migratory fish ;"

Joint Resolution to pay William B. Timmons two hundred and thirty-three dollars.

The above Bill and Joint Resolution received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Joint Resolution to allow J. M. Plowden, of Clarendon County, to redeem certain forfeited lands.

The Joint Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. CARDOZO gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to amend an Act entitled "An Act to fix the salary and regulate the pay of certain officers."

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Bill (House) to authorize the purchase for the State of a manuscript compilation of the Penal Statutes of the State, made by E. B. Seabrook, Esq., of the Charleston Bar.

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on the Judiciary.

Report of Committee on Incorporations on Bill to incorporate the Saving and Building Association, of South Carolina.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Report of Committee on Incorporations on Bill to amend an Act entitled "An Act to incorporate the Enterprise Railroad Company, of Charleston, S. C.," approved March 1, 1870.

The Report was read.

The Bill having received its second reading,

On the question of agreeing to the amendment recommended by the Committee on Incorporations, to wit: "that Section 6 be stricken out,"

Mr. ARNIM called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas.—Messrs. Barber, Cardozo, Duncan, Johnston, Nash, Owen, Rose, Smalls, Swails, Whittemore, Wimbush.—11.

Nays.—Messrs. Arnim, Bieman, Burroughs, Duvall, Foster, Greene, Holcombe, Wilson.—8.

So the amendment was agreed to.

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

Mr. ARNIM gave notice that, on the third reading of the Bill, he would offer sundry amendments.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Bill authorizing the State to purchase the Stock of the Columbia Bridge Company, and erect a bridge over the Congaree.

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on Roads, Bridges and Ferries.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of their order, of

Bill to enlarge and define the powers of the Charleston City Board of School Commissioners, and to allow said Board to levy a tax for the support of the Free Schools of the City of Charleston;

Bill to incorporate the Claflin University and State Agricultural College, of South Carolina.

Read by their titles, and referred to the Committee on Education.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M., to wit:

House Preamble and Concurrent Resolution that the Legislature call on the General Government for protection against domestic violence.

Mr. LESLIE moved that the further consideration of the Resolution be postponed, and made the Special Order for Friday, February 17, 1871.

After debate, participated in by Messrs. Swails, Leslie, Rose, Nash, Johnston, Whittemore, Arnim, Wimbush,

On the question of agreeing to the motion of the Senator from Barnwell,

Mr. LESLIE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas.—Messrs. Bieman, Burroughs, Duvall, Foster, Hayes, Holcombe, Leslie, Rose, Wilson.—9.

Nays—Messrs. Allen, Arnim, Barber, Cardozo, Dnncan, Green, Johnston, Montgomery, Nash, Owens, Smalls, Swails, Whittemore, Wimbush.—15.

So the Senate refused to postpone the further consideration of the Resolution to Friday, February 17, 1871.

The question recurred on concurrence in the Resolution.

Mr. SWAILS called for the yeas and nays.

Pending the call of the yeas and nays,

The call for the yeas and nays was withdrawn.

Pending further debate, participated in by Messrs. Leslie, Nash, Wimbush, Swails, Johnston, Rose, Allen.

RATIFICATION OF ACTS.

The SPEAKER of the House of Representatives attended in the Senate, when the following Acts and Joint Resolution were duly ratified :

An Act to incorporate the Moses Guards, of Ridgeway, in Fairfield County ;

An Act to regulate the appointment, jurisdiction and duties of Notaries Public ;

An Act to repeal so much of the Act of 1839, as prohibits the Clerks of the Courts of the State from acting as Attorneys or Solicitors in the Courts of the State ;

An Act to incorporate the Nashville Independent Blues Charitable Association, of the city of Charleston, South Carolina ;

Joint Resolution authorizing the Executive to commission Ridley K. Carlton, as Coroner of Beaufort County.

An Act to renew and extend an Act to provide a mode by which to perpetuate testimony in relation to deeds, wills, choses in action and other papers destroyed or lost during the recent war ;

An Act to regulate the right of traverse ;

An Act to recharter Moore's Ferry, under the name of Dinkin's Ferry, over the Catawba River ;

An Act to renew and amend the charter of the town of Spartanburg ;

An Act to incorporate the Charleston Cleansing Company of the city of Charleston ;

An Act to incorporate the South Carolina Saving and Building Association, No. 2 ;

An Act to amend an Act entitled " An Act to establish a State Orphan Asylum ;

An Act to incorporate Logan Fusileers, of the Parish of St. Thomas and St. Dennis, Charleston County ;

An Act ceding the jurisdiction of the State of South Carolina to the

United States of America over such lands as may be acquired for public purposes by the said United States of America.

SPECIAL ORDER.

The Senate resumed the consideration of the Special Order.

House Preamble and Concurrent Resolution that the Legislature call on the General Government for protection against domestic violence.

After further debate, participated in by Messrs. Leslie, Nash, Wimbush, Smalls, Swails, Whittemore,

Mr. WHITTEMORE moved that the Senate concur in the Resolution.

On the question of agreeing to the motion of the Senator from Darlington,

Mr. WIMBUSH called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas.—Messrs. Allen, Arnim, Cardozo, Duncan, Greene, Johnston, Montgomery, McIntyre, Nash, Owens, Smalls, Swails, Whittemore, Wimbush.—15.

Nays.—Messrs. Bieman, Burroughs, Duvall, Foster, Holcombe, Leslie, Rose, Wilson —8.

The resolution was concurred in, and ordered to be returned to the House of Representatives.

On motion of Mr. WHITTEMORE, at 4:20 P. M. the Senate adjourned.

THURSDAY, FEBRUARY 9, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

On motion of Mr. BARBER, the reading of the Journal was dispensed with.

Mr. NASH asked and obtained leave of absence for the Senator from Marion for five days, on account of important business.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

Concurrent Resolution directing the State Superintendent of Education to render a report relative to the purchase of school books, &c.

The Resolution was concurred in, and ordered to be returned to the House of Representatives.

The House also sent to the Senate

Report of the Committee on Claims of the House of Representatives on the account of W. R. Treadwell, for services rendered as Magistrate, for Orangeburg County;

Report of House Committee on Claims on the account of A. L. Singleton, for services rendered as Deputy State Constable;

Report of House Committee on Medical Affairs on the account of Drs. B. and J. L. Wofford.

The above reports were concurred in, and ordered to be returned to the House of Representatives.

PETITIONS, &c.

The PRESIDENT laid before the Senate the following communication:

• OFFICE OF STATE SUPERINTENDENT OF EDUCATION,
COLUMBIA, S. C., February 8th, 1871.

To the Honorable the President and the Senate of the General Assembly of the State of South Carolina.

GENTLEMEN: I have the honor to state that I have this day received from J. Woodruff, Esq., Clerk of the Senate, the claim of Thomas L. Lewis, for services rendered as teacher of a free school located at New Bethel, Laurens County, S. C., term or school commencing March 8th, 1869, and ending December 9th, 1869, length of term or school in months, 9; amount claimed from the State one hundred and fourteen dollars and ninety-five cents, (\$114.95,) which claim bears an endorsement by the Clerk of the Senate, to the effect that the same has been referred to me by the action of your honorable body. The period of time covered by Mr. Lewis' claim extends into two (2) fiscal years' and should have been divided into two separate and distinct claims. So much of Mr. Lewis' claim as relates to services performed prior to October 31st, 1869, comes under the provisions of an Act entitled "An Act to provide for the payment of claims of teachers for services rendered during the fiscal year commencing November 1st, A. D. 1868, and ending October 31st, 1869," approved February 24th, 1870. Section 5 of said Act reads as follows:

"That all claims of teachers for services rendered during the year hereinbefore mentioned shall be forwarded to the office of State Superintendent of Education within ninety (90) days after the approval of this Act."

Mr. Lewis' claim was not presented to this office for settlement until long after the expiration of the time allowed by the said Act for forwarding the same to this office. Indeed, it was not certified to by the School Commissioner of Laurens County until December 15th, 1870. So much of Mr. Lewis' claim as relates to services rendered subsequent to October 31st, 1869, comes under the fiscal years 1869-'70. Mr. Lewis either was instructed, or ought to have been instructed by the School Commissioner of Laurens County to divide his claim properly, and he certainly had ample opportunity to present his claim or claims to this office within the time prescribed by law. Again, Mr. Lewis has not answered all the questions required to be answered, and has not filled out all the blanks required to be filled out on the form on which his report and claim has been made out. I see no reason why the claim of Mr. Lewis should be paid, and, therefore, I beg leave to return the same, with this letter, to your honorable body.

I have the honor to be,

Respectfully yours,

J. K. JILLSON,

State Sup't of Education, S. C.

On motion of Mr. WHITTEMORE, the communication was received as information, and the claim rejected.

Mr. MAXWELL presented Statements from the County Commissioners, and Clerk of the Board of County Commissioners of Marlboro County, in relation to the receipts and expenditures of said County; which were ordered to be printed, and copies laid on the desks of Senators.

Mr. LESLIE presented a report and communication from the County Commissioners of Charleston County; which were ordered to be printed, and copies laid on the desks of Senators.

Mr. ROSE presented the report of the County Commissioners of York County of the receipts and expenditures of said County; which was ordered to be printed, and copies laid on the desks of Senators.

REPORTS OF COMMITTEES.

Mr. HAYES, from the Committee on Claims, to whom was referred the Report of the House Committee on Claims on the accounts of the Winnsboro News and Fairfield Herald, reported back the same, with a recommendation that the Senate concur.

Ordered for consideration to-morrow.

Mr. HAYES, from the Medical Committee of the Senate, to whom was referred the account of Dr. W. L. Templeton, reported back the same, with a recommendation that the account be paid.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Public Lands, to whom was referred the following Bills, reported back the same, with a recommendation that the Bills do pass:

A Bill to repeal an Act entitled "An Act to provide for the appointment of a Land Commissioner, and to define his powers and duties;"

Joint Resolution to sell the State lands in the County of Darlington for \$4.38 per acre.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred the following Bills, reported back the same, with a recommendation that the Bills do pass:

A Bill to amend Title V of Part I of the Code of Procedure;

A Bill to amend an Act entitled "An Act to regulate the fees of Probate Judges, Clerks of Courts, Trial Justices, Magistrates, and other officers therein mentioned."

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred a Bill to enforce the payment of the poll tax, reported back the same, accompanied by the following substitute, and a recommendation that the same do pass:

A Bill to enforce the payment of the poll tax.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. CARDOZO, from the Committee on Enrolled Acts, reported that the following Acts, having been duly enrolled, sealed and ratified, were presented for approval to His Excellency the Governor, this day, at 1:20 P. M.:

An Act to regulate the appointment, jurisdiction and duties of Notaries Public;

An Act to repeal so much of the Act of 1839 as prohibits the Clerks of the Courts of the State from acting as Attorneys or Solicitors in the Courts of the State;

An Act to amend an Act entitled "An Act to establish a State Orphan Asylum."

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading:

• A Bill to incorporate the Saving, Building and Loan Association of South Carolina;

A Bill to amend an Act entitled "An Act to incorporate the Enterprise Railroad Company, of Charleston, S. C."

The above Bills received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. ARNIM, from the Committee on County Offices and Officers, to whom was referred a Bill for the election of County Auditors and Treasurers, reported back the same, with a recommendation that the Bill be amended by striking out Section 2, and that the Bill, so amended, do pass.

Ordered for consideration to-morrow.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to provide for the incorporation of towns and villages in this State, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. WIMBUSH, from the Committee on Contingent Accounts and Expenses, to whom was referred the accounts of A. Palmer, and others, reported back the same, with a recommendation that the Accounts be paid.

On motion of Mr. WIMBUSH, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

BILLS INTRODUCED.

Mr. ARNIM asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Joint Resolution suspending so much of an Act entitled "An Act providing for the general elections, and the manner of conducting the same," as requires the Boards of Canvassers to count the votes at certain times.

The Joint Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. GREENE, pursuant to notice, introduced

A Bill to incorporate the Union Gold Mining Company of South Carolina.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. CARDOZO, pursuant to notice, introduced

A Bill to limit the salaries of County Trasurers.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow.

Mr. SMALLS asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to grant to certain persons therein named, and their associates, the right to dig and mine in the beds of the navigable streams and waters of the State of South Carolina for phosphate rocks and phosphatic deposits.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. DUNCAN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to repeal an Act entitled "An Act to regulate the publication of all legal and public notices."

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Messages Nos. 43 and 44, from His Excellency, were presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Messages related to Executive Business.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

On motion of Mr. WIMBUSH, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Roads, Bridges and Ferries on Bill to establish a ferry across the Catawba River, near the late John S. Perry's mill, and for other purposes therein mentioned.

The Report was read, and Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITEMORE, the Senate proceeded to the consideration, out of their order, of

Joint Resolution to allow J. M. Plowden, of Clarendon County, to sell forfeited lands.

The Joint Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That the Resolution be engrossed for a third reading.

Joint Resolution to pay Wm. B. Timmons two hundred and thirty-three dollars and forty-four cents.

The Resolution received its second reading.

After debate, participated in by Messrs. Smalls, Whittemore, Johnston, Swails, Nash,

On the question of ordering the Resolution to be engrossed for a third reading,

Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Barber, Bieman, Burroughs, Cardozo, Duvall, Foster, Hayes, Holcombe, Johnston, McIntyre, Owens, Rose, Smalls, Whittemore, Wilson, Wimbush.—17.

Nays—Messrs. Duncan, Greene, Leslie, Maxwell, Nash.—5.

So the Resolution was ordered to be engrossed for a third reading.

On motion of Mr. SWAILS, the Senate proceeded to the consideration, out of its order, of

Bill to provide for a general license law.

The Bill was read by its title, and referred to the Committee on Finance.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M., to wit:

House message on Senate Joint Resolution to authorize the State House Keeper to purchase fifteen tons of coal.

On the question of concurrence in the House amendment,

Mr. ARNIM called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Bieman, Greene, Smalls.—3.

Nays—Messrs. Arnim, Barber, Burroughs, Cardozo, Duncan, Duvall, Foster, Hayes, Holcombe, Johnston, Leslie, Maxwell, McIntyre, Nash, Owens, Rose, Whittemore, Wilson, Wimbush —19.

So the Senate insisted on its refusal to concur.

Ordered, That a message be sent to the House of Representatives, informing that body that the Senate insists on its refusal to concur in House amendments.

Concurrent Resolution asking of the United States Government protection against domestic violence in this State.

On motion of Mr. NASH, the further consideration of the above Resolution was indefinitely postponed.

Bill to regulate the granting of divorces.

The bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. WHITTEMORE, Section 2 was amended, in the seventh line, by filling the blanks with the words "twenty-one" and "eighteen".

On motion of Mr. WHITTEMORE, Section 7 was amended, by filling the blank in line five, printed Bill, with the word "five" and in line nine with the word "three".

On motion of Mr. WHITTEMORE, Section 13 was amended by filling the blank in line three, printed Bill, with the word "five".

On motion of Mr. NASH, Section 14 was stricken out, and the succeeding Sections numbered accordingly.

Mr. ARNIM moved that Section 20 be stricken out.

On motion of Mr. CARDOZO, the consideration of the motion of the Senator from Edgefield was indefinitely postponed.

On motion of Mr. WHITTEMORE, Section 20 was amended, in the first line, by inserting between the words "State" and "go", the words "whose marriage has been consummated therein shall"; also by inserting after the word "obtain", second line, printed Bill, the word "solely".

On the question of ordering the Bill to be engrossed for a third reading,

Mr. JOHNSTON moved that the enacting clause be stricken out.

On motion of Mr. CARDOZO, the further consideration of the motion of the Senator from Sumter was indefinitely postponed.

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

The Senate proceeded to the consideration of the Special Order for this day at 1:30 P. M., to wit:

Report of the Special Committee on a Bill to alter and amend an Act entitled "An Act to alter and amend the charter and extend the limits of the city of Columbia," approved February 26, 1870.

The Report and Bill were taken up together for consideration.

Pending consideration,

On motion of Mr. MAXWELL, at 2:30 P. M., the Senate adjourned.

FRIDAY, FEBRUARY 10, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. WHITTEMORE, the reading of the Journal of yesterday was dispensed with.

JOURNAL OF THE SENATE,
EXECUTIVE SESSION.

At 12:05 P. M., on motion of Mr. WIMBUSH, the Senate went into Executive Session.

After the disposal of Executive Business, the Senate returned to open session.

REPORTS OF COMMITTEES.

Mr WHITTEMORE, from the Committee on the Judiciary, to whom was referred a Bill to regulate the manner of drawing juries, reported back the same, with a recommendation that the Bill do pass with the following amendments, to wit:

In Section 2, after "Secretary of State," insert "Superintendent of Education."

In Section 4, strike out all after "Governor" down to "who," in line 3, and insert "a Board of Jury Commissioners in each County of the State, to consist of the County Treasurer and Chairman of the Board of County Commissioners and County Auditor."

In Sections 5, 6, 7, 8, 9, 10, 12, 13, 31 and 37, in place of "Jury Commissioner" read "Board of Jury Commissioners."

In Section 12, line 3, strike out "he."

In Section 21, strike out "Jury Commissioner," and insert "Sheriff."

In Section 25, line 2, strike out "not."

In Section 27, between "time" and "without," line 5, insert "with the permission of the Court."

In Section 30, line 4, strike out "twenty," and insert "one hundred."

In Section 32, strike out "Magistrates."

In Section 35, line 3, between "forthwith," and "such" insert "from the bystanders."

In Section 36, line 1, strike out "six" and insert "two."

Strike out Section 37.

Sections 38, 39 and 40, shall become Sections 37, 38 and 39.

Ordered for consideration to-morrow.

Mr. SWAILS, from the Committee on Finance, to whom was referred the petition of R. B. Mills, praying for the renewal of a certain certificate of State Stock, reported back the same, accompanied by the following Joint Resolution, and a recommendation that the Resolution do pass:

Joint Resolution authorizing the State Treasurer to reissue a certain certificate of State Stock to R. B. Mills.

The Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. SWAILS, from the Committee on Finance, to whom was referred the petition of M. E. Carrere, M. D., and W. M. Wilson, Executors of

M. Wilson, deceased, praying for the renewal of certain certificates of State Stock, reported back the same, accompanied by the following Joint Resolution, and a recommendation that the Resolution do pass :

Joint Resolution authorizing the State Treasurer to reissue certain certificates of State Stock to **M. E. Carrere**, **M. D.**, and **W. M. Wilson**.

The Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, from the Committee on County Offices and Officers, to whom was referred the Message of the Governor, and accompanying papers, submitted a request that, as the business referred to their consideration, and the nature of the charges, may require the sending for persons and papers, the Committee be empowered to do so, if they shall find it necessary.

On motion of **Mr. WHITTEMORE**, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, decided in the affirmative, and the request of the Committee granted accordingly.

Mr. ARNIM, from the Committee on County Offices and Officers, to whom was referred a Bill to require an additional report from the County Commissioners of Pickens and Oconee Counties, reported back the same with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Education, to whom was referred the following Bills, reported back the same, with a recommendation that they do pass :

A Bill to enlarge and define the powers of the Charleston City Board of School Commissioners ;

A Bill for the establishment of a Normal School in each Congressional District of this State ;

A Bill to incorporate the Claflin University and the State Agricultural College of South Carolina.

Ordered for consideration to-morrow.

Mr. ARNIM, from the Special Committee appointed by the Senate to compare the printed Reports of the State Treasurer and Comptroller General, reported that the Committee had performed the duty assigned, and find that the printed reports in question correspond with the manuscript.

Ordered for consideration to-morrow, and to be printed.

Mr. CARDOZO, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification,

An Act to amend the charter of the Columbia Building and Loan Association ;

An Act to incorporate the Scott Rifle Guards, of Sumter County ;

An Act to incorporate the Salamander Hook and Ladder Company, Georgetown, South Carolina ;

An Act to incorporate the Whipper Guards, of Christ Church Parish :
Joint Resolution authorizing the State Librarian to purchase certain volumes of State Reports ;

Joint Resolution ordering that Jas L. Orr, Judge of the Eighth Judicial Circuit, be allowed extra compensation for holding extra Courts ;

Joint Resolution directing that the funds known as the Canby School Funds, remaining in the hands of County Treasurers, be appropriated to the Free School Fund.

A Message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the above Acts and Joint Resolutions.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to establish a Ferry across the Catawba River, near the late John S. Perry's Mill, and for other purposes ;

Joint Resolution to allow J. M. Plowden, of Clarendon County, to redeem certain forfeited lands ;

Joint Resolution to pay Wm. B. Timmons two hundred and thirty-three 44-100 dollars.

The above Bill and Joint Resolutions received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred a Bill to amend an Act to provide for the appointment of Trial Justices, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred a Bill to amend an Act entitled "An Act to protect laborers and persons working under contracts on shares of crops," reported back the same, accompanied by the following substitute, and a recommendation that the substitute do pass :

A Bill to amend an Act entitled "An Act to protect laborers and persons working under contracts or shares of crops."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred a Bill to enforce the road tax, reported back the same, accompanied by the following substitute, and a recommendation that the substitute do pass :

Bill to amend an Act entitled "An Act to provide for the construction and keeping in repair of public highways."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred a Bill to repeal an Act entitled "An Act to secure advances for Agricultural purposes," reported back the same, accompanied by the following substitute, and a recommendation that the substitute do pass :

Bill to repeal an Act entitled "An Act to secure advances for Agricultural purposes."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred a Bill to amend Section 3 of an Act entitled "An Act to determine and perpetuate the homestead," reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

BILLS INTRODUCED.

Mr. WHITTEMORE, on behalf of the Senator from Charleston, asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to incorporate the Charleston Rifle Club, of Charleston, S. C.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WIMBUSH asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to amend an Act entitled "An Act to incorporate the Homestead, Building, Planting and Loan Association, of South Carolina."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. ARNIM asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to authorize Probate Judges to perform all the duties heretofore performed by Commissioners in Equity, as defined on the 1st day of January, A. D. 1869.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. MCINTYRE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to establish a causeway over Big Salkehatchie Swamp, at Walnut Point, connecting the Counties of Colleton and Beaufort.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. WHITTEMORE introduced the following Resolution :

Resolved, That the Clerk of the Senate be required to ask of the Financial Agent of the State of South Carolina, by telegraph, this day, the following questions :

When was the Agricultural College land scrip sold ?

To whom was it sold ?

At what price was it sold ?

In whose hands are the bonds of the State purchased by the proceeds of said sale ?

What has been done with the interest on said bonds ?

On motion of Mr. WHITTEMORE, the rule was suspended and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Mr. JOHNSTON introduced the following Resolution :

Resolved, That when the Senate adjourns, it shall stand adjourned to meet at 12 M. on Monday next.

The Resolution was not seconded.

Mr. CARDOZO introduced the following Resolution :

Resolved, That on and after Monday, the 13th instant, the Senate shall meet twice a day, from 11 A. M. to 2 P. M., and from 4 to 6 o'clock P. M.

On motion of Mr. CARDOZO, the Rule was suspended, and the Resolution considered immediately.

After debate, participated in by Messrs. Whittemore, Arnim,

The Resolution of the Senator from Kershaw was withdrawn.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M., to wit :

Bill to amend an Act entitled "An Act to regulate the formation of corporations," approved December 10, 1869.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. WHITTEMORE, the Bill was amended by the addition of the following Section :

"SECTION 2. That any corporation formed in compliance with the terms of this Act, is hereby authorized and empowered to issue bonds,

secured by a lien on the property of the said corporation, to an amount not exceeding the value of the property owned by said corporation, with interest on said bonds, payable semi-annually: *And it is further provided, That any corporation formed in compliance with the terms of this Act, is hereby authorized and empowered to issue additional bonds, to such an amount that the interest thereon, at eight per cent. per annum, shall not exceed the net income of said corporation.*"

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

Mr. ARNIM gave notice that, on the third reading of the above Bill, he would move to make sundry amendments.

UNFINISHED BUSINESS.

The Senate resumed the consideration of the Unfinished Business, to wit:

Report of Special Committee on a Bill to alter and amend an Act entitled "An Act to alter and amend the charter and extend the limits of the city of Columbia," approved February 26, 1870

The Report was read, and the Bill taken up for a second reading.

On the question of agreeing to the amendment to Section 4, recommended by the Special Committee,

After debate, participated in by Messrs. Swails, Leslie, Arnim, Nash,

Mr. LESLIE moved that the question of agreeing to the amendments recommended by the Committee, be taken separately upon each amendment.

Mr. SWAILS moved that the Report of the Special Committee and Bill be referred back to the Committee on Incorporations.

After further debate, participated in by Messrs. Swails, Arnim, Leslie, Nash, Wimbush, Whittemore,

Mr. SWAILS withdrew the motion to refer the Report and Bill to the Committee on Incorporations, and moved that it be referred to the Committee on the Judiciary.

After further debate,

On motion of Mr. WHITTEMORE, the Bill was recommitted to the Special Committee, with instructions to incorporate the amendments in the Bill, and the Bill reprinted with said amendments.

NOTICES OF BILLS.

Mr. NASH gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

Bill to incorporate the Union Saving Society's Bank of South Carolina.

GENERAL ORDERS.

The Senate proceeded to the consideration of General Orders.

On motion of Mr. CARDOZO, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Charitable Institutions on Bill to provide for the government of the South Carolina Institution for Deaf, Dumb and Blind.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr CARDOZO, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Finance on Joint Resolution to make appropriation for the Lunatic Asylum

The Report was read, and Bill taken up for a second reading.

On motion of Mr. ARNIM, the further consideration of the Bill was postponed, and made the Special Order for Tuesday, February 14, 1871.

On motion of Mr. LESLIE, the Senate proceeded to the consideration, out of its order, of

Bill to incorporate the Union Gold Mining Company of South Carolina

On motion of Mr. ARNIM, the Bill was read by its title, and referred to the Committee on Mines and Mining.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of their order, of

Bill to amend an Act entitled "An Act to regulate the fees of Probate Judges, Clerks of Courts, Trial Justices, Magistrates, and other officers herein mentioned."

Read by its title, and referred to the Committee on the Judiciary.

Bill to grant to certain persons therein named, and their associates, the right to dig and mine in the beds of the navigable streams and waters of the State of South Carolina for phosphatic rocks and phosphatic deposits.

Read by its title, and referred to the Committee on Mines and Mining.

Joint Resolution suspending so much of an Act entitled "An Act providing for the general election, and the manner of conducting the same," as requires the Boards of Canvassers to count the votes at certain times.

Read by its title, and referred to the Committee on Privileges and Elections

Bill to limit the salaries of County Treasurers.

Read by its title, and referred to the Committee on Finance.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Public Lands on Bill to amend an Act to provide for the appointment of a Land Commissioner, and to define his powers and duties.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Mr. WHITTEMORE gave notice that, on the third reading of the above Bill, he would move to make certain amendments

On motion of Mr. CARDOZO, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Finance on Bill to provide for the conversion of State Securities.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. ROSE, at 3 P. M. the Senate adjourned.

SATURDAY, FEBRUARY 11. 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Rev. Mr. Bulkley.

On motion of Mr. BARBER, the reading of the Journal of yesterday was dispensed with.

The PRESIDENT laid before the Senate the following reply to the

Resolution and questions telegraphed to H. H. Kimpton, Esq., Financial Agent of the State :

NEW YORK, February 11th, 1871.

To J. WOODRUFF, Clerk of Senate :

Telegram received. Mr. Kimpton is on his way South, and can answer questions personally.

CHAS. THURMAN, Cashier.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,

COLUMBIA, S. C., February 10, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that the resolving clause of "a Senate Joint Resolution to withhold the last quarter's salary, for the year 1870, from all County School Commissioners (except the School Commissioner of Newberry County) who have failed to make their annual Report to the State Superintendent of Education for the year 1870, in conformity with law," has been stricken out in this House.

Very respectfully,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

The House also sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,

COLUMBIA, S. C., February 10th, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that they respectfully insist upon concurrence in the Report of House Committee on Claims on the account of J. H. Leland, school teacher, Charleston County. The Report and account are respectfully returned herewith.

Very respectfully,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

On motion of Mr. WHITTEMORE, the Senate insisted on its refusal to concur, and a message sent to the House of Representatives accordingly.

The House also sent to the Senate Concurrent Resolution for the appointment of a Joint Committee to ascertain the cause of the unreasonable and extravagant charges made by the Columbia Gas Company.

On motion of Mr. ARNIM, the Resolution was ordered to lie on the table, and a message sent to the House of Representatives accordingly.

The House also sent to the Senate the following Message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S C., February 10, 1871.

Mr. President and Gentlemen of the Senate.

The House of Representatives respectfully informs your honorable body, that they insist on amendments to Senate Joint Resolution, authorizing the Keeper of the State House to purchase fifteen tons of coal for use of the General Assembly and State Offices ; and request a Committee of Conference

Very respectfully, &c ,

F. J. MOSES, JR.,
Speaker of the House of Representatives.

On motion of Mr. WHITTEMORE, the request contained in the message was agreed to.

The PRESIDENT announced Messrs. Whittemore and Cardozo Committee on part of the Senate, and a message sent to the House accordingly.

The House sent to the Senate

A Bill to incorporate the Sons and Daughters of Zion of Providence Baptist Church, of Hamburg, S. C. ;

A Bill to prevent accidents from rafts and flat-boats ;

A Bill to amend Section fifteen of an Act entitled "An Act to organize and govern the Militia of South Carolina;"

A Bill to incorporate the Young Men's Africanus Debating Club ;

A Bill to require the State Treasurer to pay County Treasurers the apportionment of the State School Fund belonging to the respective Counties, and for other purposes ;

A Bill to renew and amend Charters of certain Religious Associations heretofore granted ;

A Bill to prohibit disguises ;

A Bill requiring County Treasurers of the respective Counties of the State to attend at each polling precinct in the County for the collection of taxes ;

A Bill to renew the Charter of Strawberry Ferry over the Cooper River ;

Joint Resolution to provide for the payment of mileage certificates of members of the State Board of Education of the State of South Carolina.

The above Bills and Joint Resolution received their first reading,

were ordered for a second reading and consideration to-morrow, and to be printed.

The House returned to the Senate, with amendments,

A Bill to Charter the Town of Hamburg

The amendments were concurred in.

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading:

A Bill to regulate the granting of divorces.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading.

A Bill to amend an Act entitled "An Act to regulate the formation of corporations," approved December 10, 1869.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Mr. WILSON, from the Committee on the Judiciary, to whom was referred a Joint Resolution suspending so much of an Act entitled "An Act providing for the general elections and the manner of conducting the same," reported back the same, with a recommendation that the Bill do pass

Ordered for consideration on Monday next.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred a Bill to abolish the Seventh Circuit, and to assign the Counties thereof to the Fifth, Sixth and Eighth Circuits, reported back the same, with a recommendation that the Bill do pass, amended as follows:

Between "Pickens" and "and," Section 2, line 3, insert "Anderson."

In Section 3, line 2, strike out "Fifth" and insert "Seventh;" and, also, after "Laurens," in Section 3, strike out all, to the end of the Section, and insert, "and the County of Spartanburg are hereby assigned to the Sixth Circuit."

In line 1, Section 4, in place of "Newberry," insert "Spartanburg."

Also, strike out Paragraph 1, Section 4, and insert the following as a substitute:

"That the Court of General Sessions, for Spartanburg County, shall be held at Spartanburg Court House on the third Monday in February, the third Monday in August, and the first Monday in December of each

year; that the Court of Common Pleas for said County shall be held on the Wednesday following the Mondays upon which the Courts of General Sessions are convened."

In Paragraph 2, Section 4, strike out "third Monday," in lines 2 and 5, and insert "second Monday."

Strike out Paragraph 3, and insert the following as a substitute, viz :

"That the Court of General Sessions, for Laurens County, shall be held at Laurens Court House on the first Monday in February, the first Monday in August, and the last Monday in November of each year; that the Court of Common Pleas for said County shall be held on the Wednesdays following the Mondays upon which the Courts of General Sessions are convened."

Strike out Section 5 and insert the following as a substitute:

"SECTION 5. The salary of the Circuit Judge of the Sixth Circuit shall be four thousand five hundred dollars, and the salary of the Circuit Judge of the Seventh Circuit shall be five thousand dollars."

Strike out all after "Circuit," in the enacting clause.

Ordered for consideration on Monday next, and to be printed.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred House Concurrent Resolution proposing to meet in Joint Assembly, February 10, 1871, at 1 P. M., to elect a Judge of the 7th Judicial Circuit, reported back the same, with a recommendation that the Resolution be ordered to lie on the table.

On motion of Mr. WHITTEMORE, the Rule was suspended and the Report considered immediately

The question was taken on agreeing to the Report decided in the affirmative, and the Resolution ordered to lie on the table.

A message was sent to the House of Representatives accordingly.

Mr. NASH, from the Special Committee, to whom was recommitted a Bill to alter and amend an Act entitled "An Act to alter and amend the Charter and extend the limits of the city of Columbia," reported back the same, with amendments incorporated, pursuant to instructions of the Senate.

Ordered for consideration on Monday next, and to be printed

Mr WHITTEMORE, from the Committee on the Judiciary, to whom was referred a Bill to authorize the purchase for the State of a manuscript compilation of the Penal Statutes of the State, reported back the same, with the following recommendation :

That all after the word "same," on 4th line, Section 1, be struck out, and insert the following as a substitute, and that the substitute do pass:

"That the Commissioners of the Code of the State be instructed to ex-

amine the execution of the said work, and to report at the next general session of the General Assembly, whether the purchase of the said manuscript is advisable."

Ordered for consideration on Monday next.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No. 45, from His Excellency the Governor, was presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The Message was read, as follows :

STATE OF SOUTH CAROLINA,

EXECUTIVE DEPARTMENT,

COLUMBIA, February 11th, 1871.

Honorable President of the Senate :

SIR—I have the honor to inform you that I have this day approved and signed the following Acts, to wit :

An Act to regulate the appointment, jurisdiction and duties of Notaries Public ;

An Act to repeal so much of the Act of 1839 as prohibits the Clerks of the Courts of the State from acting as attorneys or solicitors in the Courts of the State ;

An Act to amend an Act entitled "An Act to establish a State Orphan Asylum."

Very respectfully,

ROBERT K. SCOTT, Governor.

RESOLUTIONS.

Mr. ARNIM introduced the following Resolution :

Whereas the Joint Committee appointed at the regular session of 1869-'70 to examine the books, vouchers, &c., of the State Treasurer and Comptroller General, reported that they had examined the accounts, vouchers, &c., lodged in the office of the Comptroller General during the last fiscal year, and found everything connected with the office in perfect order, and that they had made a critical examination of the books, orders and receipts of the State Treasurer and found them correct in every particular ; and whereas the Committee appointed by the Senate to compare the printed Reports of the Treasurer and Comptroller General with the manuscripts, reported not only serious omissions in the Report of the Comptroller General, but grave differences between the Reports of the Comptroller General, the State Treasurer and the Financial Agent ; and whereas these omissions and differences are calculated to awaken the

concern of the General Assembly, excite the mistrust of the people, and impair the credit of the State ; therefore,

Resolved by the Senate, the House of Representatives concurring, That a Committee, consisting of one member of the Senate and two members of the House, be appointed to make a complete and thorough examination of all the accounts of the State Treasurer and Comptroller General since their induction into office, and all the accounts of the Financial Agent with the State since his appointment, with power to send for and examine persons and papers, to engage the services of a clerk and expert, and, if they shall deem it proper, to submit all or any part of the results of their examination to the Attorney General for his official action thereon.

Mr. ARNIM moved that the Rule be suspended, and the Resolution considered immediately.

Objection being made, the Resolution was ordered for consideration on Monday next.

BILLS INTRODUCED.

Mr. SMALLS asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to amend the charter of the Town of Georgetown.

The Bill received its first reading, was ordered for a second reading and consideration on Monday next, and to be printed.

Mr. DUNCAN, pursuant to notice, introduced

A Bill to repeal an Act entitled "An Act to regulate the publication of all legal and public notices."

The Bill received its first reading, was ordered for a second reading and consideration on Monday next, and to be printed.

Mr. ALLEN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to authorize the County Commissioners of Greenville, Spartanburg and Oconee, to levy a special tax.

The Bill received its first reading, was ordered for a second reading and consideration on Monday next, and to be printed.

Mr. LESLIE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to define and regulate the jurisdiction of the Police Court of the City of Charleston, S. C.

The Bill received its first reading, was ordered for a second reading and consideration on Monday next, and to be printed.

NOTICES OF BILLS.

Mr. WILSON gave notice that he will on Monday next, or some subsequent day, ask leave to introduce

A Bill to provide for the appointment of Trial Justices, the organization of their Courts, and jurisdiction of the same;

A Bill to provide for the election of Justices of the Peace, and the jurisdiction of the same, and election of Constables in accordance with the requirements of the Constitution of this State.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Bill to authorize and empower the Board of County Commissioners of Darlington County to borrow twenty-five thousand dollars to pay off the present indebtedness of the County, and to issue bonds for the same.

The question recurred on agreeing to Section 1 of the Bill.

On motion of Mr. WHITTEMORE, the vote whereby the Senate agreed to Section 1 of the Bill was reconsidered.

On motion of Mr. WHITTEMORE, Section 1 of the Bill was stricken out, and the succeeding Section, numbered accordingly.

Mr. WHITTEMORE moved that Section 1 be amended to read as follows:

“SECTION 1. That the Board of County Commissioners of Darlington County be, and are hereby, authorized and empowered to issue bonds on the credit of the County, in a sum not exceeding \$25,000, to pay off the past indebtedness of the County; and the seal of the said Board shall be affixed to the said bonds, and attested by the Clerk of the said Board; which bonds shall bear interest at the rate of seven per centum per annum, payable semi-annually at the office of the County Treasurer, and shall be redeemable in equal amounts, in five, ten, fifteen and twenty years; the bonds so to be paid to be distinguished and described by the dates and numbers, beginning, for each successive payment, with the bonds of each class last dated and numbered. And the County Treasurer shall give public notice of the time of such intended payment, and the interest on the particular bonds, so selected at any time to be paid, shall cease at the expiration of three months from the date of such notice”

Mr. ARNIM moved to amend the amendment, in the third line, printed Bill, by inserting before the word “seal” the word “County,” and to strike out, on the fourth line, printed Bill, the words “of the said Board,” and insert in lieu thereof the words “of the Court.”

The amendment to the amendment was agreed to.

The question was then taken on agreeing to the amendment of the Senator from Darlington, as amended, and decided in the affirmative.

On motion of Mr. DUVALL, Section 2 was amended by the addition of the following:

"And provided, further, That a majority of the property tax payers of said County shall first vote in favor of issuing said bonds, and reasonable notices of the time and places of holding said election shall be published for at least thirty (30) days last preceding said election."

On motion of Mr. WHITTEMORE, the enacting clause of the Bill was amended to read as follows:

A Bill to authorize and empower the Board of County Commissioners of Darlington County to issue bonds to the amount of twenty-five thousand dollars.

There being no further amendments.

Ordered, That the Bill be engrossed for a third reading.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M., to wit:

Report of Committee on Printing on account of Julian A. Selby for Public Printing.

The question was taken upon agreeing to the Report, and decided in the affirmative.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

On motion of Mr. BURROUGHS, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Judiciary on Bill to amend an Act entitled "An Act to provide for the appointment of Trial Justices"

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, and was considered as in Committee of the Whole, and by Sections.

On motion of Mr. BURROUGHS, Section 1 was amended in the sixth line, printed Bill, by striking out after the word "Horry," the word "six," and inserting in lieu thereof the word "seven."

On motion of Mr. CARDOZO, the Bill was further amended in the 7th line printed Bill, by striking out after the word "Kershaw," the word "six," and inserting in lieu thereof the word "eight."

On motion of Mr. LESLIE, Section 1 was further amended, by striking out after the word "Barnwell" the word "ten," and inserting in lieu thereof the word "thirteen."

On motion of Mr. MAXWELL, Section 1 was further amended on the eighth line, printed Bill, by striking out after the word "Marlboro," the word "six," and inserting in lieu thereof the word "seven."

On motion of Mr. MCINTYRE, Section 1 was further amended in the eighth line, printed Bill, by striking out after the word "Colleton" the word "ten," and inserting in lieu thereof the word "thirteen."

On motion of Mr. WHITTEMORE, Section 1 was further amended in the fifth line, printed Bill, by striking out after the word "Darlington" the word "eight," and inserting in lieu thereof the word "ten."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. MCINTYRE, the Senate proceeded to the consideration, out of its order, of

Bill to establish a causeway over Big Saltkahatchie Swamp, at Walnut Point, connecting the Counties of Colleton and Beaufort.

On motion of Mr. MCINTYRE, the Bill was read by its title and referred to the Committee on Roads, Bridges and Ferries.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of their order, of

Bill to incorporate the Carolina Rifle Club, of Charleston ;

Bill to amend an Act entitled "An Act to incorporate the Homestead Building and Planting and Loan Association of South Carolina."

Read by their titles, and referred to the Committee on Incorporations.

Bill to authorize Probate Judges to perform all the duties heretofore performed by Commissioners in Equity, as defined on the 1st day of January, A. D. 1869.

Read by its title, and referred to the Committee on Incorporations.

The Senate proceeded to the consideration of

Report of Committee on Finance on Joint Resolution directing part of a certain tax to be devoted to the erection of a Court House and Jail at Manning, S. C.

The Report was read, and Resolution taken up for a second reading.

The Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That the Resolution be engrossed for a third reading.

Report of Committee on Judiciary on Bill to more effectually provide for the recording of conveyances of real estate.

The Report was read, and Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On the question of agreeing to the amendment recommended by the Committee on the Judiciary to inser in line 10, Section 1, manuscript

Bill, between the words "shall" and "be," the words "within forty-eight hours after it is made."

Mr. DUVALL moved to amend the amendment by striking out the words "forty-eight hours," and inserting in lieu thereof the words "ten days."

After debate, participated in by Messrs. Duvall, Leslie, Whittemore, The amendment of the Senator from Chesterfield was withdrawn.

Mr. BURROUHS moved to amend the amendment by striking out the words "forty-eight hours," and inserting in lieu thereof the words "three days."

The amendment to the amendment was agreed to.

On motion of Mr. MAXWELL, Section 1 was further amended by inserting in the third line, printed Bill, after the word "situated," the words "except in the County of Charleston, where all such conveyances shall be recorded, within the same time, in the office of Register of Mesne Conveyance."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

Report of Committee on the Judiciary on Bill to protect the rights of parents, and to prevent the procuring and carrying from the State persons under the age of twenty-one years.

The Report was read, and Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Report of Committee on Judiciary on Bill to provide for the taxation of fire-arms.

The Report was read, and the Bill taken up for a second reading.

On motion of Mr. SMALLS, the enacting clause of the Bill was stricken out.

Report of Committee on Judiciary on Joint Resolution to vest in the heirs-at-law of Isaac McKnight lands sold for taxes.

On motion of Mr. SWAILS, the resolving clause of the Resolution was stricken out.

Report of Committee on Judiciary on Concurrent Resolution to appoint a Special Joint Committee to investigate the state of affairs in the Counties of Union and Spartanburg

On motion of Mr. WHITTEMORE, the Resolution was ordered to lie on the table.

Report of Committee on Incorporations on Bill to amend an Act establishing a line beyond which the wharves shall not be extended in the city of Charleston, and for other purposes.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Report of Committee on Incorporations on Bill to incorporate the Huntoon Chemical Soap Company of South Carolina.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Report of Committee on Finance on Bill to authorize an enrollment tax.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on the Judiciary on a Bill to enable judgment debtors to sell their real and personal property, and to confirm sales made in conformity with conditions therein specified.

The Report was read, and the Bill taken up for a second reading.

On motion of Mr. LESLIE, the further consideration of the Bill was postponed, and made the Special Order for Monday, February 13, 1871, at 1:30 P. M.

Report of Committee on the Judiciary on a Bill to alter and amend the Code of Procedure of the State of South Carolina.

The Report was read, and the Bill taken up for a second reading.

Pending the consideration of Section 1,

On motion of Mr. SWAILS, at 2:30 P. M., the Senate adjourned.

MONDAY, FEBRUARY 13, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President *pro tem.*, Hon. C. W. MONTGOMERY.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Rev. Mr. Bulkley.

On motion of Mr. WHITTEMORE, the reading of the Journal of Saturday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

A Bill to establish a new Judicial and Election County from portions of the Counties of Barnwell, Edgefield, Lexington and Orangeburg, to be known as Aiken County ;

Joint Resolution to confirm the apportionment made by the Superintendent of Education of the State of South Carolina for the fiscal year ending October 31, 1869.

The above Bill and Joint Resolution received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., February 13, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that Messrs Byas, Whipper and J. P. Singleton have been appointed a Committee of Conference, on the part of the House, to meet the Committee appointed on the part of your honorable body, to adjust differences relative to House amendments to "A Senate Joint Resolution to authorize the Keeper of the State House to purchase fifteen tons of coal for the use of the General Assembly and State offices."

Very respectfully,

F. J. MOSES, Jr.,
Speaker House of Representatives.

Concurrent Resolution to require the Land Commissioner to make a report and full statement of his operations as Land Commissioner, by the 15th day of February, 1871.

Mr. LESLIE moved that the Resolution be laid on the table.

Mr. WHITTEMORE moved, as an amendment to the motion of the

Senator from Barnwell, that the Resolution be referred to the Committee on Public Lands.

The amendment of the Senator from Darlington was accepted.

Mr. HAYNE moved, as an amendment, that the Senate concur in the Resolution.

After debate, participated in by Messrs. Hayne, Whittemore,

The motion of the Senator from Darlington was withdrawn.

The question recurred on concurrence in the Resolution.

After debate, participated in by Messrs. Leslie, Arnim, Smalls,

Mr. SMALLS moved to amend the Resolution by striking out the word "fifteenth," and inserting in lieu thereof the word "twentieth."

After further debate, participated in by Messrs. Smalls, Leslie, Maxwell, Whittemore,

Mr. HAYNE moved that the further consideration of the amendment of the Senator from Beaufort be indefinitely postponed.

After further debate, participated in by Messrs. Nash, Leslie, Hayne, Whittemore, Maxwell,

On the question of agreeing to the motion of the Senator from Marion,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Bieman, Burroughs, Cardozo, Dickson, Duncan, Duvall, Foster, Hayne, Holcombe, Maxwell, McIntyre, Owens, Rose, Smalls, Wilson.—15.

Nays—Messrs. Barber, Greene, Leslie, Montgomery, Nash.—5.

So the further consideration of the amendment of the Senator from Beaufort was indefinitely postponed.

The question was then taken on concurrence in the Resolution, and decided in the affirmative.

Ordered, That it be returned to the House of Representatives.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No. 46, from His Excellency the Governor, was presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Message related to Executive Business.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading :

Bill to protect the right of parents, and to prevent the procuring and carrying from the State persons under the age of twenty-one years.

The above Bill received its third reading, passed,

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled.

Bill to amend an Act to provide for the appointment of a Land Commissioner, and to define his powers and duties;

Bill to amend an Act entitled "An Act to provide for the conversion of State securities;"

Bill to provide for the government of the South Carolina Institution for the education of the deaf, and dumb and the blind;

Bill to incorporate the Huntoon Chemical and Soap Company, of South Carolina;

Bill to amend an Act entitled "An Act to provide for the appointment of Trial Justices;"

Bill to authorize and empower the Board of County Commissioners of Darlington County to issue bonds to the amount of seventy-five thousand dollars;

Joint Resolution directing part of a certain tax to be devoted to the erection of a court house and jail at Manning;

Bill to amend an Act establishing a line beyond which the wharves shall not be extended, in the city of Charleston;

Bill to more effectually provide for the recording of all conveyances of real estate.

The above Bills and Joint Resolution received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. HAYNE, from the Committee on Education, to whom was referred the favorable Report of House Committee on Claims, on the accounts R. A. Green and L. Cain, for services as school teachers, reported back the same, with a recommendation that the Senate concur.

Ordered for consideration to-morrow.

Mr. WILSON, from the Committee on Mines and Mining, to whom was referred a Bill to grant to certain persons therein named, and their associates, the right to dig and mine in the beds of the navigable streams and waters of the State of South Carolina, for phosphatic rocks and phosphatic deposits, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. GREENE, from the Committee on Finance, to whom was referred the petition of R. L. North, Executor of E. E. North, deceased, praying for the renewal of a certain certificate of State stock, reported back the same, accompanied by the following Joint Resolution, and a recommendation that the Resolution do pass:

Joint Resolution authorizing the State Treasurer to re-issue a certain

certificate of State Stock to R. L. North, Executor of Elizabeth E. North, deceased.

The Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. GREENE, from the Committee on Finance, to whom was referred a Bill to amend an Act entitled "An Act to fix the salaries and regulate the pay of certain officers," reported back the same, with a recommendation that the Bill do pass, with the following amendment added to Section 1, to wit: "except in the County of Charleston, where the maximum shall not exceed two thousand five hundred dollars per annum."

Ordered for consideration to-morrow.

Mr. HAYNE asked and obtained leave to withdraw from serving on the Special Joint Committee appointed to investigate the affairs of the County Commissioners of Charleston County.

BILLS INTRODUCED.

Mr. WILSON, pursuant to notice, introduced

Bill to provide for the appointment of Trial Justices, the organization of their Courts, and the jurisdiction of the same.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. SWAILS asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Bill to amend an Act entitled "An Act to organize and govern the militia of the State of South Carolina."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. WHITTEMORE gave notice that on to-morrow, or some subsequent day, he will ask leave to introduce

Joint Resolution to create a State Board of Finance or Supervisors of the Treasury.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day at 1 P. M., to wit:

Report of Committee on Privileges and Elections on the right of Hon. George F. McIntyre to a seat in the Senate.

The Report was read.

Mr. SWAILS moved that the further consideration of the Report and Resolution of the Committee on Privileges and Elections be indefinitely postponed.

On the question of agreeing to the motion of the Senator from Williamsburg,

Mr. LESLIE called for the yeas and nays.

After debate, participated in by Messrs. Arnim, Hayne, Maxwell, Swails, Leslie, Nash, Wimbush,

Mr. LESLIE moved that the Senate adjourn.

On the question of agreeing to the motion of the Senator from Barnwell,

Mr. LESLIE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Bieman, Burroughs, Foster, Greene, Holcombe, Leslie, Owens, Rose, Wilson—9.

Nays—Messrs. Arnim, Barber, Cardozo, Dickson, Duvall, Hayne, Maxwell, Montgomery, McIntyre, Nash, Smalls, Swails, Whittemore, Wimbush—14.

So the Senate refused to adjourn.

The question recurred on agreeing to the motion of the Senator from Williamsburg, that the further consideration of the Report and Resolution be indefinitely postponed.

After further debate, participated in by Messrs. Leslie, Swails, Hayne, Mr. SWAILS moved a call of the Senate.

The roll was called, and the PRESIDENT announced a quorum present.

The Senate resumed the consideration of

Report of Committee on Privileges and Elections on the right of Hon. George F. McIntyre to a seat in the Senate.

The question recurred on agreeing to the motion of the Senator from Williamsburg, that the further consideration of the Report and Resolution be indefinitely postponed.

After further debate,

Mr. SWAILS moved a call of the Senate.

The roll was called, and the PRESIDENT announced a quorum present.

The Senate resumed the consideration of the Report of the Committee on Privileges and Elections on the right of Hon. George F. McIntyre to a seat in the Senate.

After further debate,

Mr. SWAILS moved a call of the Senate.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Senate resumed the consideration of the Report.

Mr. NASH moved a call of the Senate.

The roll was called, and the PRESIDENT announced a quorum present.

The Senate resumed the consideration of the Report.

Mr. SWAILS moved a call of the Senate.

The PRESIDENT declined to entertain the call.

After further debate, participated in by Messrs. Leslie, Hayne,

Mr. SWAILS moved a call of the Senate.

The roll was called, and the PRESIDENT announced a quorum present.

The Senate resumed the consideration of the Report of the Committee on Privileges and Elections on the right of Hon. George F. McIntyre to a seat in the Senate.

After further debate,

Mr. LESLIE moved that the further consideration of the Report be postponed until to-morrow.

On motion of Mr. HAYNE, the motion of the Senator from Barnwell was laid on the table.

The PRESIDENT decided the Senator from Barnwell entitled to the floor.

Mr. HAYNE appealed from the decision of the Chair.

The question was taken: "Shall the decision of the Chair be sustained?" and decided in the affirmative.

After further debate,

Mr. ARNIM moved a call of the Senate.

The roll was called, and the PRESIDENT announced a quorum not present

On motion of Mr. HAYNE,

The Sergeant-at-Arms was directed to summon absent Senators.

Mr. LESLIE moved that the Senate adjourn.

The motion of the Senator from Barnwell was not agreed to.

Mr. WHITTEMORE moved that six Deputy Sergeants-at-Arms be employed to summon absent Senators.

On motion of Mr. HAYNE, the motion of the Senator from Darlington was amended so as to read that the Sergeant-at-Arms be authorized to call to his assistance six persons to summon absent Senators.

The amendment was accepted, and the motion, as amended, was agreed to.

Mr. ARNIM moved that the Senate adjourn.

The question was taken on agreeing to the motion of the Senator from Edgefield, and decided in the negative.

Mr. ARNIM moved a call of the Senate.

The roll was called, and the PRESIDENT announced a quorum not present.

The Sergeant-at-Arms having returned and reported,

The roll was called, and a quorum answering to their names, the **PRESIDENT** announced the Senate ready to proceed to business.

Mr. **LESLIE** resumed the debate.

Mr. **HAYNE** rose to a point of order, which was, that the Senator from Barnwell having yielded the floor, was out of order.

The **PRESIDENT** decided the point of order well taken, and the Senator from Barnwell out of order.

The Senate resumed the consideration of the Report of Committee on Privileges and Elections on the right of Hon. George F. McIntyre to a seat in the Senate.

On the question of agreeing to the motion of the Senator from Williamsburg that the further consideration of the Report and Resolution be indefinitely postponed,

Mr. **HAYNE** called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Arnim, Barber, Cardozo, Dickson, Hayne, Johnston, Maxwell, Montgomery, Nash, Smalls, Swails, Whittemore, Wimbush.—13.

Nays—Messrs Bieman, Burroughs, Holcombe.—3.

The **PRESIDENT** announced a quorum had not voted.

Mr. **NASH** insisted that the Clerk call the name of the Senator from Colleton.

The yeas and nays were again taken and resulted as follows :

Yeas—Messrs. Arnim, Barber, Cardozo, Dickson, Hayne, Johnston, Maxwell, Montgomery, McIntyre, Nash, Smalls, Swails, Whittemore, Wimbush.—14.

Nays—Messrs Bieman, Burroughs, Holcombe.—3.

So the further consideration of the Report and Resolution was indefinitely postponed

The Senator from Barnwell declined voting.

The **PRESIDENT** ruled that it was imperative upon every Senator to vote, and in case of refusal, the Senate must take such action as it might deem necessary to enforce its rule.

Mr. **McINTYRE** presented the following to be entered on the Journal :

I voted on my own case, while a sense of delicacy prompted me otherwise, for the following reasons :

The Senator from Barnwell peremptorily refused to vote after consuming five hours in a bitter partizan speech, and, as a consequence, I had to vote to make a quorum. And this was not objectionable to two-thirds of the Senators, who were unanimously in favor of my right to a seat in the Senate of South Carolina.

GEORGE F. MCINTYRE.

Mr. HAYNE moved that the vote whereby the Senate indefinitely postponed the further consideration of the Report and Resolution be reconsidered, and the motion for reconsideration be ordered to lie on the table.

On the question of agreeing to the motion of the Senator from Marion, Mr. SWAILS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Barber, Cardozo, Dickson, Hayne, Johnston, Maxwell, Montgomery, McIntyre, Nash, Smalls, Swails, Whittemore, Wimbush.—14.

Nays—Messrs. Bieman, Burroughs, Holcombe.—3.

So the motion to reconsider was ordered to lie on the table.

Mr. SWAILS introduced the following Resolution:

Resolved, That Hon. G. F. McIntyre is entitled to his seat in the Senate of South Carolina, as Senator from Colleton County.

On motion of Mr. SWAILS, the Rule was suspended, and the Resolution considered immediately.

On the question of agreeing to the Resolution,

Mr. SWAILS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Barber, Cardozo, Dickson, Hayne, Johnston, Maxwell, Montgomery, McIntyre, Nash, Smalls, Swails, Whittemore, Wimbush.—14.

Nays—Messrs. Bieman, Burroughs, Holcombe, Leslie.—4.

So the Resolution was agreed to.

On motion of Mr. SWAILS, at 9:30 P. M., the Senate adjourned.

TUESDAY, FEBRUARY 14, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President *pro tem.*, Hon. C. W. MONTGOMERY.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

On motion of Mr. WIMBUSH, the reading of the Journal of yesterday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

Concurrent Resolution to discharge the Special Committee on the part of the House appointed to investigate the disposition of the money appropriated for the payment of the mileage and per diem of the members of the Legislature

On motion of Mr. SWAILS, the Resolution was referred to the Special Joint Committee appointed on the part of the Senate to investigate the disposition of \$135,000, appropriated for the payment of the mileage and per diem of members, &c., of the General Assembly.

The House also sent to the Senate

A Bill to provide for a Teachers' Institute;

A Bill to authorize Henry C. Lancaster, Smith Howe and Henry A. Towles to collect wharfage and storage;

A Bill to authorize the Clerks of the Courts of Common Pleas to take testimony in certain cases.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

The House also sent to the Senate

Concurrent Resolution for the appointment of a Joint Committee to examine the accounts of the State Treasurer, Comptroller-General and Financial Agent.

On motion of Mr. SWAILS, the Resolution was concurred in.

On motion of Mr. WHITTEMORE, the blank was filled with the word "two."

Ordered, That it be returned to the House of Representatives.

The PRESIDENT announced Messrs Whittemore and Swails the Committee on the part of the Senate.

A message was sent to the House of Representatives accordingly.

The House sent to the Senate

Concurrent Resolution for the appointment of a Joint Committee to inquire into the expediency of making a contract for lighting the State House.

Mr. ARNIM moved to amend by striking out the words "three members of the House and — members on the part of the Senate," and inserting in lieu thereof the words "Chairmen of the Committee on Public Buildings of the Senate and House of Representatives."

The amendment of the Senator from Edgefield was withdrawn.

Mr. CARDOZO moved to amend the Resolution by striking out the words "Columbia Domestic Gas Company," and inserting in lieu thereof the words "lowest bidder."

The amendment of the Senator from Kershaw was not agreed to.

Mr. ARNIM moved that the Resolution be laid on the table.

On division, the Senate voted yeas, 6; nays, 12.

So the Senate refused to lay the Resolution on the table.

On motion of Mr. NASH, the blank was filled by inserting the word "two."

The Resolution was then concurred in, and ordered to be returned to the House of Representatives.

The PRESIDENT announced Messrs. Rose and Cardozo Committee on part of the Senate, pursuant to the above Resolution.

The House also sent to the Senate,

Concurrent Resolution to meet in Joint Assembly Thursday, February 16, 1871, at 1 P. M., for the purpose of electing a Judge of the Seventh Judicial Circuit, to fill the vacancy occasioned by the resignation of T. O. P. Vernon.

Mr. NASH moved that the Senate concur.

After debate, participated in by Messrs. Maxwell, Smalls, Whittemore,

The question was taken on agreeing to the motion of the Senator from Richland, and decided in the affirmative.

Ordered, That the Resolution be returned to the House of Representatives.

The House also sent to the Senate,

Concurrent Resolution instructing the Attorney-General to proceed against the several Land Commissioners for failure to make report.

Mr. MAXWELL moved that the Resolution be ordered to lie on the table.

Mr. SMALLS moved that the further consideration of the Resolution be postponed, and made the Special Order for Monday next, at 1 P. M.

After debate, participated in by Messrs Maxwell, Smalls, Whittemore, Leslie,

Mr. WHITTEMORE moved that the further consideration of the Resolution be postponed, and made the Special Order for Thursday next.

After further debate, participated in by Messrs. Whittemore, Leslie,

On the question of agreeing to the motion of the Senator from Marlboro,

On division, the Senate voted, yeas, 11; nays, 6.

So the Resolution was ordered to lie on the table, and a message sent to the House of Representatives accordingly.

The House also sent to the Senate,

Concurrent Resolution to appoint a Joint Committee to proceed to Washington to procure Federal troops for the protection of the lives and property of citizens of the upper Counties of the State.

Mr. SMALLS moved that the Resolution be concurred in, and that the blank be filled with the word "one."

After debate, participated in by Messrs. Smalls, Maxwell, Whittemore, Duvall,

Mr. MAXWELL moved that the Resolution be laid on the table.

The motion of the Senator from Marlboro was subsequently withdrawn.

Mr. DUVALL renewed the motion that the Resolution be ordered to lie on the table.

After further debate, participated in by Messrs Whittemore, Smalls, Duvall,

The motion of the Senator from Chesterfield was withdrawn.

On motion of Mr. WHITTEMORE, the further consideration of the Resolution was postponed, and made the Special Order for to-morrow, at 1 P. M.

The House sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., February 14, 1871.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that Messrs Thompson, Holmes, L. Cain, Keith and Wilkes have been appointed a Committee on the part of the House, in accordance with Concurrent Resolution adopted, to wait upon His Excellency the Governor.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker House of Representatives.

REPORTS OF COMMITTEES.

Mr. WIMBUSH, from the Committee on Mines and Mining, to whom was referred a Bill to incorporate the Union Gold Mining Company, of South Carolina, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to amend an Act entitled "An Act to incorporate the Homestead, Building, Planting and Loan Association," reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. GREENE, from the Committee on Finance, to whom was referred a Bill to provide for a general license law, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to incorporate the Carolina Rifle Club, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification,

An Act to protect the rights of parents, and to prevent the procuring and carrying from the State persons under the age of twenty-one years.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the above Act.

BILLS INTRODUCED.

Mr. NASH, pursuant to notice, introduced

A Bill to incorporate the Union Saving Society's Bank.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. HAYNE introduced the following Resolution :

Resolved by the Senate, the House of Representatives concurring, That a Committee of three be appointed on the part of the Senate, and on the part of the House of Representatives, to wait upon His Excellency the Governor and inquire what further action is necessary on the part of the General Assembly for the preservation of the peace and protection of the lives and property of the people in certain Counties of the State.

On motion of Mr. HAYNE, the Rule was suspended, and the Resolution considered immediately

The question was taken on agreeing to the Resolution, and decided in the affirmative.

The PRESIDENT announced Messrs. Hayne, Wilson and Wimbush Committee on the part of the Senate, pursuant to said Resolution.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No. 47, from His Excellency the Governor, was presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The message was read as follows :

STATE OF SOUTH CAROLINA,

EXECUTIVE DEPARTMENT,

COLUMBIA, S. C., February 14, 1871.

Gentlemen of the Senate:

I have the honor to transmit the accompanying communication from the Directors of the State Penitentiary, enclosing a letter from General C. J. Stolbrand, the Superintendent, in reference to matters connected with that institution, and deeply affecting its prosperity, to which your attention is respectfully requested.

Very respectfully,

ROBERT K. SCOTT, Governor.

On motion of Mr. WIMBUSH, the Message and accompanying documents were ordered to be printed and laid on the desks of Senators.

On motion of Mr HAYNE, the Message was referred to the Committee on the Penitentiary.

PAPERS FROM THE HOUSE OF REPRESENTATIVES

The House returned, with concurrence,

Senate Concurrent Resolution to appoint a Special Joint Committee to wait upon His Excellency the Governor and inquire what action is necessary on the part of the General Assembly for the preservation of the peace, and protection of the lives and property of the people in certain Counties of this State.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of their order, of

Bill to provide for the appointment of Trial Justices, the organization of their Courts, and the jurisdiction of the same;

Bill to define and regulate the jurisdiction of the Police Court of Charleston;

Bill to repeal an Act entitled "An Act to regulate the publication of all legal and public notices;"

Bill to prohibit disguises.

Read by their titles, and referred to the Committee on the Judiciary.

Bill (House) to establish a new Judicial and Election County from portions of the Counties of Barnwell, Edgefield, Lexington and Orangeburg, to be known as Aiken County.

Read by its title, and referred to a Special Committee consisting of the

Senators from the Counties of Barnwell, Edgefield, Lexington and Orangeburg.

Bill (House) to renew the charter of Strawberry Ferry over the Cooper River ;

Bill (House) to incorporate the Young Men's Africanus Debating Club ;

Bill to amend the charter of the Town of Georgetown, South Carolina ;

Bill (House) to renew and amend the charter of certain religious associations, heretofore granted ;

Bill (House) to incorporate the Sons and Daughters of Zion, of the Providence Baptist Church, of Hamburg.

Read by their titles, and referred to the Committee on Incorporations.

Bill (House) requiring the County Treasurers of the respective Counties of the State to attend at each polling precinct in the County for the collection of taxes ;

Bill to authorize the County Commissioners of Greenville, Spartanburg, Pickens and Oconee to levy an additional tax

Read by their titles, and referred to the Committee on Finance.

Bill (House) to require the State Treasurer to pay County Treasurers the apportionment of the State School Fund belonging to the respective Counties, and for other purposes.

Read by its title, and referred to the Committee on Education.

Bill (House) to amend Section 15 of an Act entitled "An Act to organize and govern the militia of South Carolina ;"

Bill to amend an Act entitled "An Act to organize and govern the militia of the State of South Carolina."

Read by their titles, and referred to the Committee on Military.

Bill (House) to prevent accidents from rafts and flat-boats.

Read by its title, and referred to the Committee on Roads, Bridges and Ferries.

Report of Committee on the Judiciary on a Bill to enable judgment debtors to sell their real and personal property, and to confirm sales made in conformity with conditions therein specified.

On motion of Mr WHITTEMORE, the consideration of the Report and Bill was made the Special Order for to-morrow, at 1:30 P. M.

On motion of Mr SMALLS, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Mines and Mining on a Bill to grant to certain persons therein named, and their associates, the right to dig and mine in the navigable streams and waters of the State of South Carolina for phosphatic rocks and phosphatic deposits.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. NASH, Section 1 was amended by striking out the letters "H. H.," before the name "Montgomery," and inserting in lieu thereof the letters "C. W.;" also, by inserting after the name "F. J. Moses, Jr.," the names "B. F. Whittemore, R. A. Sisson."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. ARNIM, the Senate proceeded to the consideration, out of its order, of

Joint Resolution to provide for the appointment of a Joint Committee to make a complete and thorough examination of the accounts of the State Treasurer and Comptroller-General.

On motion of Mr. ARNIM, the further consideration of the Resolution was indefinitely postponed.

Mr. ARNIM desired it to be recorded on the Journal as a reason for the motion to indefinitely postpone the further consideration of the above Resolution, that a similar Resolution had been agreed to by the House of Representatives, and concurred in by the Senate

UNFINISHED BUSINESS.

The Senate resumed the consideration of unfinished business, to wit:

Bill to alter and amend the Code of Procedure of the State of South Carolina.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M., to wit:

Joint Resolution making appropriation of thirty thousand dollars for the completion of the State Lunatic Asylum, and other purposes.

The Joint Resolution received its second reading, and was considered as in Committee of the Whole.

After debate, participated in by Messrs. Leslie, Nash, Arnim, Hayne, Whittemore, Rose,

On motion of Mr. NASH, the further consideration of the Joint Resolution was postponed, and made the Special Order for Friday, February 17, 1870, at 1 P. M.

The Senate proceeded to the consideration of the Special Order for this day, at 1:30 P. M., to-wit:

Bill to dispose of lands forfeited to the State

On motion of Mr. WHITTEMORE, the further consideration of the Bill was postponed, and made the Special Order for Monday, February 20, 1871, at 1 P. M.

GENERAL ORDERS.

The Senate resumed the consideration of General Orders.

Report of Committee on Judiciary on Bill to amend an Act to define the jurisdiction of Trial Justices, approved March 1st, 1870.

The Report was read and Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Report of Committee on Judiciary on Bill to authorize and empower David Jacobs to open and carry on the business of a loan office in this State.

The Report was read and Bill taken up for a second reading.

The Bill received its second reading.

After debate, participated in by Messrs. Leslie, Swails, Whittemore,

On motion of Mr. LESLIE, the enacting clause of the Bill was stricken out.

On motion of Mr. ROSE, at 2:45 P. M., the Senate adjourned

WEDNESDAY, FEBRUARY 15, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President *pro tem*, Hon. C. W. MONTGOMERY.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. ARNIM, the reading of the Journal of yesterday was dispensed with

Mr. ARNIM rose to a question of privilege, and desired to enter his protest against the action of certain parties, on Senate Joint Resolution to provide for the appointment of a Joint Committee to make a complete and thorough examination of the accounts of the State Treasurer and Comptroller General.

Mr. WHITTEMORE sent to the President's desk, and had read, the following dispatch :

CHARLESTON, S. C., February 15, 1871.

To the Hon. B. F. WHITTEMORE :

I have been severely wounded by a gun-shot, and confined to my room for eight days Will be in Columbia on Sunday, and make my report immediately. Make this known, and oblige,

R. C. DELARGE.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C , February 14, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that a Senate Bill to amend the charter of the Columbia Building and Loan Association, has been laid on the table in this House

Very respectfully,

F. J. MOSES, JR.,
Speaker House of Representatives.

The House also sent to the Senate,

Concurrent Resolution to appoint a Committee to examine the accounts of the Treasurer.

Mr. ARNIM moved that the further consideration of the Resolution be postponed, and made the Special Order for February 22, 1871.

After debate, participated in by Messrs. Whittemore, Arnim, Leslie,

On motion of Mr WHITTEMORE, the further consideration of the Resolution was postponed to Monday, February 20, 1871.

The House sent to the Senate,

A Bill to permit William L. Wood to adopt Napoleon B. Smith, to make him his lawful heir, and to change the name of the said Napoleon B. Smith to that of Napoleon B. Wood ;

A Bill to incorporate the Lebanon Presbyterian Church, of Fairfield County ;

A Bill declaring a tract of land consisting of one hundred acres in the County of Fairfield, as escheated to the State, and to vest the title to the same in the Trustees of the Ridgeway Academy ;

A Bill to regulate the measurement and inspection of Timber and Lumber in the city of Charleston ;

A Bill to repeal an Act entitled "An Act to repeal the usury laws of this State."

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

REPORTS OF COMMITTEES.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred the following Bills, reported back the same, with a recommendation that the Bills do pass :

A Bill to incorporate the Young Men Africanus Debating Club ;

A Bill to renew the charter of Strawberry Ferry, over the Cooper River ;

A Bill to incorporate the Working Men's Mutual Benefit Life Assurance Association, of South Carolina ;

A Bill to amend the charter of the town of Georgetown.

Ordered for consideration to-morrow.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred the following Bills, reported back the same, with a recommendation that the Bills be ordered to lie on the table :

A Bill to incorporate the Sons and Daughters of Zion of the Providence Baptist Church, of Hamburg, South Carolina ;

A Bill to renew and amend the charters of certain Religious Associations heretofore granted.

Ordered for consideration to-morrow.

Mr. GREENE, from the Committee on Finance, to whom was referred a Bill requiring the County Treasurers of the respective Counties of the State to attend at each polling precinct in the County for collection of taxes, reported back the same, with a recommendation that the Bill be ordered to lie on the table.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred a Bill to prohibit disguises, reported back the same, with a recommendation that the Bill be ordered to lie on the table.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading :

Bill to charter the South Carolina Phosphate and Phosphate River Mining Company, in the State of South Carolina ;

Bill to amend an Act entitled " An Act to define the criminal jurisdiction of Trial Justices ;"

Bill to alter and amend the Code of Procedure of the State of South Carolina.

The above Bills received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification,

An Act to charter the Town of Hamburg.

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate to assist in the ratification of the above Act.

Mr. HAYNE, from the Special Joint Committee appointed on the part of the Senate to wait upon His Excellency the Governor, and inquire what further action is necessary on the part of the General Assembly for the preservation of the peace and protection of the lives and property of the people in certain Counties of the State, reported that the Committee had performed the duty assigned them, and that His Excellency would communicate to the Senate by message this day; also, that His Excellency suggested to the Committee the expediency of the appointment by the General Assembly of a Special Joint Committee to proceed to Washington to lay before the President of the United States the condition of affairs in this State.

BILLS INTRODUCED.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill relative to the fees of the State Land Commissioners.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. BIEMAN, pursuant to notice, introduced

A Bill to incorporate the Walhalla Hook and Ladder Company, of Walhalla, South Carolina.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to provide for a Board of Supervisors for the State Treasury.

RESOLUTIONS.

Mr. WHITTEMORE introduced the following Resolution:

Resolved, That the State Financial Agent be requested to communicate to the Senate, as soon as practicable, such information as will answer the questions, to wit:

When was the Agricultural College Land Scrip sold?

To whom was it sold?

At what price was it sold?

In whose hands are the bonds of the State purchased by the proceeds of said sale?

What has been done with the interest on said bonds?

On motion of Mr. WHITTEMORE, the Rule was suspended, and the Resolution considered immediately.

On motion of Mr. WHITTEMORE, the Resolution was amended, by striking out the words "as soon as practicable," and inserting in lieu thereof, the words "on the sixteenth instant."

The question was taken on agreeing to the Resolution as amended, and decided in the affirmative.

Mr. WHITTEMORE introduced the following Resolution:

Resolved, That the State Financial Agent be requested to communicate to the Senate, at the earliest moment practicable, the following, to wit:

Have the bonds issued for the purchase of land by the Land Commissioners been sold?

If so, at what price?

Has the entire amount of the proceeds of the sale of said bonds been expended in the purchase of State bonds?

What was the aggregate amount realized on the sale of said bonds?

On motion of Mr. WHITTEMORE, the Rule was suspended, and the Resolution considered immediately.

On motion of Mr. WHITTEMORE, the Resolution was amended, by striking out the words "at the earliest moment practicable," and inserting in lieu thereof the words "on the sixteenth instant."

The question was then taken on agreeing to the Resolution as amended, and decided in the affirmative.

Mr. HAYNE introduced the following Resolution:

Resolved, That the Clerk of the Senate be authorized to draw a pay certificate for two thousand dollars on account of stationery for the use of the Senate.

On motion of Mr. HAYNE the Rule was suspended and the Resolution considered immediately.

The question was taken on agreeing to the Resolution and decided in the affirmative.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Report of Committee on Public Lands on Bill authorizing the County Treasurers to take charge of the lands of the State purchased by the Land Commissioner of the State of South Carolina.

The Report was read and the Bill taken up for a second reading.

Mr. HAYNE moved that the enacting clause of the Bill be stricken out.

Pending the consideration of the motion of the Senator from Marion, the Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No 48, from His Excellency the Governor, was received and presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The Message was read, as follows:

STATE OF SOUTH CAROLINA,

EXECUTIVE DEPARTMENT,

COLUMBIA, February 15th, 1871.

To the General Assembly:

GENTLEMEN:—In response to the inquiry of the Joint Committee of the two Houses of the General Assembly, as to what further legislation is necessary, in my opinion, for the suppression of outrages, and the protection of the people from violence, I have respectfully to say, that I know of no further legislation, in addition to that already suggested in former Messages, and to which I would again call your attention. It is evident that the recent deliberate murder and massacre was perpetrated to hide in the grave of the victims the traces of the assassins in former crimes, by preventing the recognition of those who were engaged in them. It is of the utmost importance that measures should be taken, not only to deter the turbulent from committing crime, but to punish with the severest penalties of the law, those guilty of such outrages upon civilization, as have recently characterized a portion of our State, incited either by a spirit of revenge, or for the purpose of putting out of the way those who might become dangerous witnesses, when confronted with persons suspected of participating in previous murders.

Of these measures, I deem none of such paramount importance as the election of an efficient presiding Judge, in place of Hon. T. O. P. Vernon, a portion of whose District, and some of the adjacent Counties, have recently earned such unenviable notoriety for their turbulence and recklessness. For this purpose, I would suggest a re-adjustment of those Counties, by which they would become consolidated into one Judicial District. I would earnestly appeal to the Legislature, that in their choice all partisan prejudices or personal preferences should be laid aside, and

a man selected for that highly responsible position, whose character is a guarantee for his faithful and fearless performance of duty. A high-minded and honorable Judge will always sink the partisan in the patriot when sitting in judgment on the lives and reputations of his fellow-citizens, and the character and welfare of his State.

I have forwarded the Concurrent Resolution of the General Assembly calling on the President of the United States for troops to suppress domestic violence and to protect peaceable citizens from the lawless and turbulent who are now infesting that unfortunate section of country; and I have little doubt that their request will be promptly complied with by sending a sufficient force to garrison leading points in the unprotected section of country, and if the Legislature should give the authority asked for in my recent message to the Attorney General, I have every confidence that the civil law will be amply sufficient to give protection and quiet to the country.

Very respectfully,

ROBERT K. SCOTT, Governor.

On motion of Mr ARNIM, the Senate proceeded to the consideration of the Message of His Excellency the Governor, in connection with the Special Order for this day, at 1 P. M., to-wit:

House Concurrent Resolution to appoint Committee to proceed to Washington to procure Federal troops to protect the lives and property of citizens of the upper Counties of the State.

The question recurred on agreeing to the motion of the Senator from Beaufort that the Senate concur in the Resolution, and that the blank be filled with the word "one."

Mr. HAYNE moved to amend the motion of the Senator from Beaufort by striking out the word "one," and inserting in lieu thereof the word "three."

After debate, participated in by Messrs. Hayne, Whittemore, Swails, Leslie, Smalls, Maxwell,

Mr WHITTEMORE moved that the House Concurrent Resolution be laid on the table, for the purpose of taking up the following substitute:

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That our Senators and Representatives in the Congress of the United States be requested to wait upon the President of the United States, and present him with a copy of the Concurrent Resolution, to-wit:

Resolved by the Senate, the House of Representatives concurring, That a Committee of three be appointed on the part of the Senate, and

on the part of the House of Representatives, to wait upon His Excellency the Governor and inquire what further action is necessary on the part of the General Assembly for the preservation of the peace and protection of the lives and property of the people in certain Counties of the State.

Also, with a copy of the Message of the Governor in answer to the same; also, to present a copy of the Resolution and the Message of the Governor to both branches of Congress.

On the question of agreeing to the motion of the Senator from Darlington,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Bieman, Burroughs, Cardozo, Dickson, Duncan, Duvall, Foster, Greene, Maxwell, Montgomery, Swails, Whittemore, Wilson.—13.

Nays—Messrs. Hayne, Johnston, Nash, Smalls, Wimbush —5.

So the Concurrent Resolution was ordered to lie on the table, and a message sent to the House of Representatives accordingly.

The question recurred on agreeing to the substitute

Mr. WHITTEMORE moved to amend by inserting after the words “wait upon the President of the United States,” the words “and make a true statement of the outrages recently visited upon our people, by an organization of disguised and murderous outlaws, and present him with a copy of the Concurrent Resolution, to wit.” Also, to insert after the word “Senators” the words “be instructed,” and after the word “Representatives” the words “be requested.” Also, to amend the last Section of the Resolution to read as follows: “With a copy of so much of the Governor’s Message, in answer to the same, as relates to the outrages committed, and request the President to send a detachment of troops to protect the lives and property of the people of the upper part of the State, and present a copy of the Resolution, and the Message of the Governor to both branches of Congress.” Also, to amend the title so as to read as follows: “Concurrent Resolution to instruct our Senators and Members of Congress to wait upon the President of the United States and request the sending of troops to this State.”

On the question of agreeing to the amendments of the Senator from Darlington,

Mr. SMALLS called for the yeas and nays.

The yeas and nays were taken and resulted as follows:

Yeas—Messrs. Bieman, Burroughs, Cardozo, Duncan, Greene, Maxwell, Montgomery, Nash, Swails, Whittemore.—10.

Nays—Messrs. Duvall, Hayne, Johnston, McIntyre, Smalls, Wilson, Wimbush.—7.

The question was then taken on agreeing to the substitute as amended, and decided in the affirmative.

Ordered, That it be sent to the House of Representatives.

Mr. HAYNE desired to be recorded on the Journal, on the question of agreeing to the above Resolution, as voting in the negative

GENERAL ORDERS.

The Senate resumed the consideration of General Orders.

A Bill authorizing the County Treasurers to take charge of the lands of the State purchased by the Land Commissioner of the State of South Carolina.

The question recurred on agreeing to the motion of the Senator from Marion, that the enacting clause of the Bill be stricken out.

Pending debate the PRESIDENT announced

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

Concurrent Resolution requesting His Excellency to arm and equip a Regiment of Militia to suppress lawlessness.

Mr. HAYNE moved that the Senate concur.

Mr. LESLIE moved that the Resolution be ordered to lie on the table.

On the question of agreeing to the motion of the Senator from Barnwell,

Mr. LESLIE called for the yeas and nays.

The yeas and nays were taken and resulted as follows :

Yeas.—Messrs. Bieman, Burroughs, Cardozo, Duncan, Duvall, Foster, Greene, Leslie, Maxwell, Montgomery, McIntyre, Nash, Owens, Whittemore, Wilson, Wimbush.—16.

Nays.—Messrs. Hayne, Johnston, Smalls, Swails.—4.

So the Resolution was ordered to lie on the table, and a message sent to the House of Representatives accordingly.

GENERAL ORDERS.

The Senate resumed the consideration of General Orders.

Bill authorizing the County Treasurers to take charge of the lands of the State purchased by the Land Commissioner of the State of South Carolina.

On the question of agreeing to the motion of the Senator from Marion, that the enacting clause of the Bill be stricken out,

After debate, participated in by Messrs. Whittemore, Leslie, Nash, Maxwell, Hayne, Wimbush,

Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas.—Messrs. Hayne, Johnston, Leslie, Montgomery, McIntyre, Nash, Smalls, Swails, Wimbush — 9

Nays.—Messrs Bieman, Burroughs, Cardozo, Duncan, Duvall, Foster, Maxwell, Owens, Whittemore, Wilson.—10.

So the Senate refused to strike out the enacting clause of the Bill.

Mr. WIMBUSH moved that the Bill be ordered to lie on the table

On the question of agreeing to the motion of the Senator from Chester,

Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas.—Messrs. Hayne, Johnston, Leslie, Montgomery, McIntyre, Nash, Smalls, Swails, Wimbush.—9.

Nays.—Messrs Bieman, Burroughs, Cardozo, Duncan, Duvall, Foster, Maxwell, Owens, Whittemore, Wilson.—10.

So the Senate refused to lay the Bill on the table.

Mr. WHITTEMORE moved that the further consideration of the Bill be postponed to February 25th. 1871.

Mr. SWAILS moved to lay the motion of the Senator from Darlington on the table.

On the question of agreeing to the motion of the Senator from Williamsburg,

Mr. WHITTEMORE called for the yeas and nays

The yeas and nays were taken, and resulted as follows:

Yeas.—Messrs Swails, Wimbush.—2.

Nays.—Messrs Bieman, Burroughs, Cardozo, Duncan, Duvall, Foster, Greene, Hayne, Johnston, Leslie, Maxwell, Montgomery, McIntyre, Nash, Owens, Smalls, Whittemore, Wilson.—18

So the Senate refused to lay the motion of the Senator from Darlington on the table.

The question was then taken on agreeing to the motion of the Senator from Darlington, and decided in the affirmative.

So the further consideration of the Bill was postponed to February 25th, 1871.

The PRESIDENT laid before the Senate the following dispatch:

CHARLESTON, February 15th, 1871.

To Hon. W. B. NASH:

I came to Charleston to wind up my affairs, did so, and would have returned to Columbia last Wednesday evening, made my Land Commission Report, and given satisfaction to my friends and the public immediately, so as to leave for Washington honorably. But unfortunately I received a very serious and almost fatal gunshot wound a few hours be-

ore the train left. I am now out of danger from my injuries. To give satisfaction to my enemies I am arranging with a surgeon to accompany me on the train, and if nothing extra occurs, will leave Friday for Columbia and make my report. There is nothing wrong with my affairs. My friends can feel secure. My honor is safe. Acknowledge the receipt of this.

ROBERT C. DELARGE.

On motion of Mr. WHITTEMORE, at 3:30 P. M., the Senate adjourned.

THURSDAY, FEBRUARY 16, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President *pro tem.*, Hon. C. W. MONTGOMERY.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

Mr. SWAILS asked and obtained leave of absence for the Senator from Horry, for ten days, on account of illness in his family.

Mr. WHITTEMORE asked and obtained leave of absence for the Senator from Charleston, for ten days, on account of important business.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., February 15, 1871.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that Messrs. O'Connell, Thompson and Duncan have been appointed Special Joint Committee on the part of the House, to report as to the expediency of contracting with the Southern Domestic Gas Light Company for lighting the State House.

Very respectfully,

F. J. MOSES, JR.,
Speaker of the House of Representatives.

The House also sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., February 15th, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that they insist on concurrence by your honorable body in Report of House Committee on Claims on account of J. H. Leland, School Teacher, Charleston County, and request the appointment of a Committee of Conference. Messrs. Frost, Hunter and Jervey have been appointed Committee on the part of the House

Very respectfully,

F. J. MOSES, JR.,
Speaker of the House of Representatives.

On motion of Mr. WHITTEMORE, the request contained in the message was agreed to.

The PRESIDENT announced Messrs. Whittemore and Maxwell Committee on the part of the Senate.

The House returned to the Senate, with amendment,

Senate Bill to provide for the protection of persons, property and the public peace.

On motion of Mr. WHITTEMORE, the amendments were concurred in.

Ordered, That the title of the Bill be changed to that of an Act, and that it be enrolled for ratification.

The House also returned, with amendments,

Senate Bill to alter and amend an Act to alter and amend the charter of the city of Greenville.

On motion of Mr. WIMBUSH, the further consideration of the Bill was postponed until the appearance of the Senator from Greenville in his seat.

The House sent to the Senate,

Concurrent Resolution to request His Excellency the Governor to restore arms to certain militia companies.

On motion of Mr. WHITTEMORE, the Resolution was referred to the Committee on Military.

The House also sent to the Senate,

Report of the Committee on Claims of the House of Representatives on the accounts of F. W. Farley and William Kennedy.

On motion of Mr. WHITTEMORE, the Report was referred to the Committee on Claims.

PETITIONS, &c.

Mr. WHITTEMORE presented the account of Butler Spears, for the

loss of a horse in State service, which was referred to the Committee on Claims.

Mr. HOLCOMBE presented the Report of the Board of County Commissioners of Pickens County, made in accordance with a Concurrent Resolution of the General Assembly requiring County Commissioners to make a Report; which was ordered to be printed, and copies laid on the desks of Senators

The PRESIDENT laid before the Senate the petition of the Intendant and Wardens of the town of Newberry, praying the passage of an Act authorizing them to build a market house upon the vacant part of the public square in said town belonging to the County; which was referred to the Committee on Public Lands.

REPORTS OF COMMITTEES.

Mr. GREENE, from the Committee on Finance, to whom was referred a Bill to authorize the County Commissioners of Greenville, Spartanburg, Pickens and Oconee to levy an additional tax, reported back the same, accompanied by the following substitute, and a recommendation that it do pass :

A Bill to authorize the County Commissioners of Spartanburg, Greenville, Pickens and Oconee, and the authorities of certain towns therein, to provide means to meet the interest on certain bonds

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. GREENE, from the Committee on Finance, to whom was referred a Bill to authorize and empower certain County Commissioners to subscribe to the capital stock of the South Carolina Central Railroad Company, to issue bonds, and to provide for the interest thereon, reported back the same, with a recommendation that the Bill do pass, provided all of Section 2, printed Bill, commencing at the word "but," on the eleventh line, be stricken out

Ordered for consideration to-morrow.

Mr. SWAILS, from the Committee on Military, to whom was referred a Bill to amend an Act to organize and govern the militia of the State of South Carolina, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. LESLIE, from the Committee on Railroads, to whom was referred a Bill to authorize the formation of and to incorporate the Tugaloo and Chattanooga Railroad Company, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

BILLS INTRODUCED.

Mr. WHITTEMORE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to incorporate the Collateral Loan and Deposit Bank.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to protect the Finances and credits of the State of South Carolina.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

On motion of Mr. LESLIE, the Report of the Receiver of the Bank of the State of South Carolina was made the Special Order for to-morrow, at 1 P. M.

On motion of Mr. HAYNE, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on Education on the claims of R. A. Green, for services as school teacher for Edgefield County

The Report was read, and taken up for consideration.

After debate, participated in by Messrs. Hayne, Leslie, Whittemore,

Mr. LESLIE moved that the further consideration of the Report and claim be indefinitely postponed /

On the question of agreeing to the motion of the Senator from Barnwell,

Mr. HAYNE called for the yeas and nays.

On motion of Mr. HAYNE, at 2:30 P. M., the Senate adjourned.

FRIDAY, FEBRUARY 17, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President *pro tem.*, Hon. C. W. MONTGOMERY.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk proceeded with the reading of the Journal of yesterday.

Previous to the reading of the proceedings in Joint Assembly,

Mr. WHITTEMORE rose and entered his protest against so much of the Journal of yesterday as relates to proceedings in Joint Assembly, and offered the following Concurrent Resolution :

Be it resolved by the Senate, the House of Representatives concurring, That so much of the Journal of both branches of the General Assembly as relates to the business of the Joint Assembly which convened on the 16th of February, 1871, to elect a Judge to fill the vacancy in the Seventh Judicial Circuit of this State, be, and the same is hereby, disapproved, and that the same shall be stricken out of the Journals of both Houses.

The Senate proceeded to the consideration of the Resolution.

After debate, participated in by Messrs. Whittemore, Leslie, Nash, Maxwell, Hayne, Johnston, Arnim,

The Resolution was withdrawn.

Mr. WHITTEMORE introduced the following Preamble and Resolution :

Whereas, in the Joint Assembly, held on the 16th day of February, A. D. 1871, an election for Judge of the Seventh Judicial Circuit was held ; and,

Whereas, the result of the election was declared by the Presiding Officer before the members of the Joint Assembly had expressed their choice, and the voting was completed and recorded therefore,

Resolved by the Senate, the House of Representatives concurring, That said election is null and void, and that the record of said Joint Assembly, and of said election, be stricken from the Journals.

Mr. MAXWELL had read the following communications :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., February 17, 1871.

Hon. H. J. MAXWELL, *Senator from Marlboro County* :

SIR:—I desire to inform you that I voted for Mr. Earle, and I find my name not recorded on the Journal.

J. W. THOMAS.

HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., February 17, 1871.

Hon. H. J. MAXWELL, *Senator from Marlboro County* :

SIR:—I desire to inform you that I voted for Mr. Earle every time, and I find my name counted as voting for Mr. Moses.

JOSEPH D. BOSTON,
Newberry County.

The Senate proceeded to consider the Preamble and Resolution of the Senator from Darlington.

After debate, participated in by Messrs. Nash, Maxwell, Leslie, Hayne, Whittemore, Arnim,

Mr. ARNIM moved, as an amendment to the Preamble and Resolution of the Senator from Darlington, to substitute the following :

Whereas, the action of the Joint Assembly, on February 16, 1871, concerning the election of a Judge, is disapproved by the Senate ; therefore, be it

Resolved, That the Senate hereby request the House of Representatives to meet the Senate in Joint Assembly at 2 P. M. this day.

The substitute was not seconded.

The Senate resumed the consideration of the Preamble and Resolution of the Senator from Darlington

After further debate, participated in by Messrs. Arnim, Whittemore, Corbin, Leslie, Hayne, Maxwell,

On the question of agreeing to the Preamble and Resolution,

Mr. HAYNE called for the yeas and nays.

Pending the call,

Mr. JOHNSTON moved that the Preamble and Resolution be laid on the table.

On the question of agreeing to the motion of the Senator from Sumter,

Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Arnim, Bieman, Duvall, Foster, Holcombe, Johnston, Leslie, Montgomery, Rose.—9.

Nays—Messrs. Allen, Cardozo, Corbin, Dickson, Greene, Hayne, Maxwell, McIntyre, Nash, Owens, Smalls, Swails, Whittemore, Wimbush.—14.

So the Senate refused to lay the Preamble and Resolution on the table.

Pending the further call of the yeas and nays,

Mr. JOHNSTON asked leave to explain his vote.

On the question of granting the request of the Senator from Sumter,

Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Arnim, Bieman, Cardozo, Dickson, Duncan, Duvall, Foster, Greene, Hayne, Holcombe, Leslie, Maxwell, Montgomery, McIntyre, Owens, Rose, Whittemore, Wimbush.—19.

Nays—Messrs. Corbin, Nash, Smalls, Swails.—4.

So the request of the Senator from Sumter was granted.

Mr. JOHNSTON, on the above question, declined voting.

The yeas and nays were then taken on agreeing to the Preamble and Resolution, and resulted as follows:

Yeas—Messrs. Allen, Cardozo, Corbin, Dickson, Duncan, Greene, Hayne, Maxwell, McIntyre, Nash, Owens, Smalls, Swails, Whittemore, Wimbush.—15.

Nays—Messrs. Arnim, Bieman, Duvall, Foster, Holcombe, Johnston, Leslie, Montgomery, Rose.—9.

So the Preamble and Resolution were agreed to, and ordered to be sent to the House of Representatives

Mr. JOHNSTON said he voted no on the question of agreeing to the Preamble and Resolution, because he considered the adoption of such Resolution a reflection on the presiding officer and the clerks of the two branches.

Mr. WHITTEMORE presented the following protest, to be entered on the Journal of the Senate:

COLUMBIA, S. C., February 16, 1871.

To His Excellency R. K. SCOTT:

We, members of the Joint Assembly of South Carolina, held this day, to elect a Judge of the Seventh Judicial Circuit of this State, do most solemnly and emphatically protest against the declaration made by the President of the Joint Assembly, that Montgomery Moses was elected to fill the vacancy in the said Circuit, and ask that your Excellency do withhold your commission to said Montgomery Moses, until the respective bodies composing the Joint Assembly take further action.

B. F. WHITTEMORE,
S. A. SWAILS,
ROBT. SMALLS,
N. B. MYERS,
LAWRENCE CAIN,
DAVID HARRIS,
JNO. T. HENDERSON,
S. J. KEITH,
GRIFFIN C. JOHNSON,
HARRY MCDANIEL,
J. W. MEAD,

R. TARLTON,
GEO. F. MCINTYRE,
JAS. M. ALLEN,
W. H. JONES, JR.,
Y. J. P. OWENS,
H. J. MAXWELL,
L. WIMBUSH,
B. G. YOCOM,
W. B. NASH,
JAS. DAVIS.
W. J. WHIPPER,

H. W. DUNCAN.

On motion, and by request, the name of the Senator from Orangeburg was added to the above protest.

PAPERS FROM THE HOUSE OF REPRESENTATIVES

The House returned, with concurrence,

Report of Senate Committee on Claims on the account of Rev C. Bruce Walker.

PETITIONS, &c.

Mr. CORBIN presented the memorial of the President and Members of the South Carolina Institute for the promotion of art, mechanical ingenuity and industry, praying the release of the lien held by the State, under the Act of 1852, and to direct the Comptroller to enter a satisfaction upon the mortgage on a lot of land in the city of Charleston, belonging to said Institute; which was referred to the Committee on the Judiciary.

Mr. GREENE presented the memorial of teachers of Orangeburg County, praying the passage of an Act by the General Assembly, providing for the prompt and punctual payment of salaries of teachers of Free Schools; which was referred to the Committee on Education.

Mr. GREENE presented the claim of F. J. McMAKEN, for clothing and other property, lost during the Laurens riot, also for service rendered as State Constable; which was referred to the Committee on Claims.

Mr. WHITTEMORE presented the following communication, which was received as information:

CHARLESTON, S. C., February 15th, 1871.

Having attended on the Hon. R. C. DeLarge, at his residence, in this city, since the 8th instant, I hereby certify that he is now confined to his bed from the effects of a severe accidental gun-shot wound in the left hand, tearing away a large portion of the integuments. His condition is such that I, as his Physician, positively forbid his leaving his bed.

T R ALDRICH, M. D.

Having examined the wound of the Hon. R. C. DeLarge, I concur in the above.

R. LEBBY, JR., M. D.

Mr. OWENS presented the Report of the County Commissioners of Laurens County, in accordance with Concurrent Resolution requiring certain information from the County Commissioners; which was ordered to be printed, and copies laid on the desks of Senators.

Mr. MCINTYRE presented the petition of Nathaniel Heyward, praying a recharter of Ashepoo Ferry; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. CORBIN presented the memorial of Hon. James L Orr, Judge of the Eighth Judicial Circuit, and members of the Bar of Greenville County, praying that the first clause of Section 25, Title III, of the Code of Procedure, may be so amended as to allow the Court of General Sessions for said County, to be held on the first Monday in January, May and September, respectively, and the Court of Common Pleas for said County, on the first Wednesday after the first Monday in January, May and September, respectively, so that three weeks may, if necessary, be

devoted to each term of said Courts; which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. SWAILS, from the Committee on Military, to whom was referred a Bill to amend Section 15 of an Act entitled "An Act to organize and govern the militia of South Carolina," reported back the same, with a recommendation that the Bill be ordered to lie upon the table.

Ordered for consideration to-morrow.

Mr. SWAILS, from the Committee on Military, to whom was referred House Concurrent Resolution requesting His Excellency the Governor to return arms to militia companies, reported back the same, with a recommendation that the Resolution be ordered to lie upon the table.

Ordered for consideration to-morrow.

Mr. OWENS, from the Committee on Roads, Bridges and Ferries, to whom was referred a Bill to establish a causeway over Big Salkehatchie Swamp, at Walnut Point, connecting the Counties of Colleton and Beaufort, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. WIMBUSH, from the Committee on Contingent Accounts of the Senate, to whom was referred sundry contingent accounts of J. H. & M. L. Kinard, W. B. Stanley, and others, against the Clerk and Sergeant-at-Arms of the Senate, reported back the same, with a recommendation that the accounts be paid.

On motion of Mr. WIMBUSH, the Rule was suspended and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

Mr. LESLIE, from the Committee on Railroads, to whom was referred a Bill to authorize the formation of, and to incorporate the, Savannah Valley Railroad, reported back the same, with a recommendation that the Bill do pass.

On motion of Mr. ARNIM, the Rule was suspended, and the Report considered immediately.

The Report and Bill were taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. ARNIM, Section 1, was amended in the third line printed Bill, by striking out the words "or from the city of Augusta, in the State of Georgia."

On motion of Mr. ARNIM, Section 2 was amended in the third line

printed Bill, by inserting after the name " Joseph N. Brown," the names " M. W. Graey and M. C. Butler.

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the vote whereby the Senate ordered the above Bill to be engrossed for a third reading was reconsidered.

On motion of Mr. WHITTEMORE, the further consideration was postponed, and made the Special Order for to-morrow, at 1 P. M.

BILLS INTRODUCED

Mr. LESLIE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to amend an Act entitled " An Act to regulate the manner of keeping and disbursing funds by certain officers."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. MCINTYRE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to renew the charter of the ferry known as Ashepoo Ferry

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. CORBIN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to amend an Act entitled " An Act to revise, simplify and abridge the rules, practice, pleadings and forms of the Courts in this State "

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

Bill for the extinguishing of the floating debt ;

Joint Resolution relative to the loan of the credit of the State.

Mr. DICKSON gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

Bill to amend an Act entitled "An Act to fix the salary and regulate the pay of certain officers."

RESOLUTIONS.

Mr. WHITTEMORE introduced the following Resolution :

Resolved, That the Financial Agent of the State of South Carolina be requested to communicate to the Senate, on the 18th inst., his replies to the following, to wit :

The amount of the State's indebtedness to him ?

The amount of State stocks and bonds in his hands as collaterals ?

The number and description of the same, and under what law they were authorized ?

The amount under each loan that has been sold ?

The present value of the State bonds in New York ?

Mr. WHITTEMORE moved that the Rule be suspended, and the Resolution considered immediately.

Objection being made, the Resolution was ordered for consideration to-morrow.

Mr. SWAILS introduced the following Preamble and Resolution :

Whereas Hon. W. E. Johnston, Senator from Sumter, did, when his name was called a second time under a call of yeas and nays, refuse to vote ; therefore, be it

Resolved, That Hon. W. E. Johnston be brought before the bar of the Senate, and there show cause why he should not be held amenable to the Rules of this body.

Ordered for consideration to-morrow.

GENERAL ORDERS.

The Senate proceeded to the consideration of General Orders on the Calendar.

On motion of Mr. McINTYRE, the Senate proceeded to the consideration, out of its order, of

Joint Resolution to provide for the payment of mileage certificates of members of the State Board of Education of the State of South Carolina.

The Resolution received its second reading.

On motion of Mr. CARDOZO, the Resolution was referred to the Committee on Education

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M., to wit :

Bill to alter and amend an Act entitled "An Act to alter and amend the charter and extend the limits of the city of Columbia."

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. NASH, Section 8 was amended by the addition of the following :

“ Provided, That the charge for said licenses shall not exceed the amounts specified by the ordinance as amended and declared valid in the 12th Section of this Bill.”

On motion of Mr. NASH, Section 11 was amended by the addition of the following :

“ Provided, That all property paying a specific tax or license, shall be exempted from taxation imposed in said Section, (11).”

On motion of Mr. NASH, Section 12 was amended by striking out all from and after the word “ for ” to the end of the Section, and inserting in lieu thereof the following :

“ Cotton gins ginning for toll or pay ; dealers, retail, in goods, wares and merchandise, excluding distilled spirits ; hotel keepers ; livery and sale stables ; the license for which shall be :

Cotton gins ginning for toll or pay.....	\$50 00
Dealers, retail, in goods, wares and merchandise, excluding distilled spirits, whose annual sales exceed \$5,000 and do not exceed \$10,000.....	20 00
Dealers, retail, in goods, wares and merchandise, excluding distilled spirits, whose annual sales exceed \$10,000 and do not exceed \$20,000.....	40 00
Dealers, retail in goods, wares and merchandise, excluding distilled spirits, whose annual sales exceed \$20,000 and do not exceed \$30,000.....	50 00
Dealers, retail, in goods, wares and merchandise, excluding distilled spirits, whose annual sales exceed \$30,000, and do not exceed \$50,000.....	75 00
And every additional thousand, per thousand.....	50
Hotels capable of accommodating 100 persons.....	50 00
Hotels capable of accommodating less than 100 and more than 50 persons.....	35 00
Hotels capable of accommodating over 25 and less than 50 persons.....	30 00
Stables, livery and sale.....	75 00

Provided, That only one license shall be required from any person, company and corporation for business conducted in any one establishment or place of business, excluding liquor licenses and billiard tables : And provided, further, That there shall be no tax upon incomes derived from factorage employment and professions : And provided, further, That no penalty imposed by said ordinance shall attach thereto until thirty days after the ratification of this Act.

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, at 3:15 P. M., the Senate adjourned.

SATURDAY, FEBRUARY 18, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President *pro tem*. Hon C. W. MONTGOMERY.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Clerk read the Journal of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned, with concurrence,

Senate Concurrent Resolution to declare null and void the election of Judge of the Seventh Judicial Circuit, and to strike from the Journals of the two Houses the record relative to the same.

The House also sent to the Senate,

Concurrent Resolution to meet in Joint Assembly, Saturday, February 18, 1871, for the purpose of entering into an election for Judge of the Seventh Judicial Circuit of the State of South Carolina.

Mr. WHITTEMORE moved to amend the Resolution by striking out "Saturday, February 18," and inserting in lieu thereof "Friday, February 24."

Mr. JOHNSTON moved that the further consideration of the motion of the Senator from Darlington be indefinitely postponed.

The motion of the Senator from Sumter was not seconded.

On the question of agreeing to the amendment of the Senator from Darlington,

Mr. JOHNSTON called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Barber, Cardozo, Corbin, Dickson, Greene, Hayne, Maxwell, Owens, Smalls, Whittemore, Wilson, Wimbush—13.

Nays—Messrs. Bieman, Duncan, Duvall, Holcombe, Johnston, Leslie, Montgomery, Nash, Rose—9.

So the amendment of the Senator from Darlington was agreed to.

The Resolution, as amended, was concurred in, and ordered to be returned to the House of Representatives.

The House also sent to the Senate,

Concurrent Resolution to instruct the Attorney-General to investigate the escape of prisoners from the Charleston Jail.

Mr. LESLIE moved that the consideration of the Resolution be indefinitely postponed.

After debate, participated in by Messrs. Corbin, Leslie, Nash;

On the question of agreeing to the motion of the Senator from Barnwell,

Mr. NASH called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Arnim, Foster, Johnston, Leslie, Smalls—5.

Nays—Messrs. Barber, Bieman, Cardozo, Corbin, Dickson, Duncan, Duvall, Greene, Holcombe, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittemore, Wilson—17.

So the Senate refused to indefinitely postpone the consideration of the Resolution.

The question was then taken on concurrence in the Resolution, and decided in the affirmative.

Ordered, That it be returned to the House of Representatives.

The House also sent to the Senate

Reports of House Committee on Education on the accounts of C. C. Perry and Miss H. M. Butler, for services rendered as teachers; which were referred to the Committee on Education.

PETITIONS, &c.

Mr. CORBIN presented the petition of Alexander Robertson and Edward F. Thurston, praying restoration of lost bonds; which was referred to the Committee on Finance.

Mr. CORBIN presented the petition of the Trustees of the Wallingford Church and Academy, praying for an Act of incorporation; which was referred to the Committee on Incorporations.

Mr. CORBIN also presented the petition of the People's Bank, of South Carolina, praying a renewal of charter; which was referred to the Committee on Incorporations.

REPORTS OF COMMITTEES.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred the petition of the South Carolina Institute for the Promotion of Art, Mechanical Ingenuity and Industry, reported back the same, accompanied by the following Bill, and recommendation that the Bill do pass :

Bill to release the lien of the State upon a lot of land in the city of Charleston, owned by the South Carolina Institute for the Promotion of Art, Mechanical Ingenuity and Industry, and take a similar lien upon the new hall erected by the South Carolina Institute.

The Bill received its first reading, was ordered for a second reading and consideration on Monday, and to be printed.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill to amend an Act entitled "An Act to define the jurisdiction and regulate the practice of Probate Courts," reported back the same, with a recommendation that the Bill be ordered to lie on the table.

Ordered for consideration on Monday next.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill to regulate the jurisdiction of the Police Court of the city of Charleston, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration on Monday next.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill to amend the 2d clause of the 18th Section of an Act to revise, simplify and abridge the rules, pleadings, practice and forms of Courts in this State, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration on Monday next.

Mr. OWENS, from the Committee on Roads, Bridges and Ferries, to whom was referred the petition of Geo. B. Tucker, praying the General Assembly to grant him the privilege of placing gates across certain roads in Union County, reported back the same, with a recommendation that the prayer of the petitioner be granted.

Ordered for consideration on Monday next.

Mr. OWENS, from the Committee on Roads, Bridges and Ferries, to whom was referred a Bill to provide for the construction and keeping in repair of public highways and roads, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration on Monday next.

BILLS INTRODUCED.

Mr. WHITTEMORE, pursuant to notice, introduced

Joint Resolution relative to the loan of the State credit;

Joint Resolution to select one of the Trust Companies of New York as the Registry of the State bonds.

The above Joint Resolutions received their first reading, were ordered for a second reading and consideration on Monday, and to be printed.

Mr. WHITTEMORE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to repeal Paragraph 4, Section 81, of the Code of Procedure of the State of South Carolina.

The Bill received its first reading, was ordered for a second reading and consideration on Monday, and to be printed.

Mr. JOHNSTON asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to amend an Act entitled "An Act to grant, renew and amend the charter of certain towns and villages therein mentioned."

The Bill received its first reading, was ordered for a second reading and consideration on Monday, and to be printed.

Mr. DICKSON, pursuant to notice, introduced

Bill to amend an Act entitled "An Act to fix the salary and regulate the pay of certain officers."

The Bill received its first reading, was ordered for a second reading and consideration on Monday, and to be printed.

Mr. McINTYRE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Bill to repeal Section 279, Title VIII, Chapter 2, of the Code of Procedure.

The Bill received its first reading, was ordered for a second reading and consideration on Monday next, and to be printed.

NOTICES OF BILLS.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to provide for the redemption of the bonds of the State under hypothecation, known as the Blue Ridge Railroad Bonds ;

A Bill to repeal an Act entitled "An Act to authorize additional aid to the Blue Ridge Railroad Company, of South Carolina," approved September 15, 1868, and to cancel the bonds of the same ;

A Bill to amend an Act entitled "An Act to better protect holders of Insurance Policies in this State," approved December 1869 ;

A Bill to provide for a Sinking Fund, for the ultimate redemption of the State debt ;

A Bill to amend an Act entitled "An Act providing for the assessment and taxation of property," and all Acts amendatory thereto.

RESOLUTIONS.

Mr. WHITTEMORE introduced the following Concurrent Resolution :

Resolved by the Senate, the House of Representatives concurring, That the Attorney-General be, and is hereby, directed to take such proceed-

ings as he may deem proper to protect the interests of the State of South Carolina in the Spartanburg and Union Railroad Company, to examine into the fact whether the said Railroad Company has, in any sense, fulfilled its obligations to the State, and, if necessary, to institute legal proceedings against the same.

On motion of Mr. WHITTEMORE, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Ordered, That it be sent to the House of Representatives for concurrence

Mr. WHITTEMORE introduced the following Concurrent Resolution :

Resolved by the Senate, the House of Representatives concurring, That the Committee on Ways and Means, on the part of the House, and Finance, on the part of the Senate, be instructed to examine carefully and report upon the arrangements made and observed by the Comptroller-General for the safe custody of the public property under his control, in accordance with the recommendations in the Report of that officer.

On motion of Mr. WHITTEMORE, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Ordered, That it be sent to the House of Representatives for concurrence.

Mr. WHITTEMORE introduced the following Resolution :

Resolved, That the Clerk of the Senate be directed to wait upon H. H. Kimpton, Esq., Financial Agent of the State, and request him to forward his replies to the questions asked of him by the Senate

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No. 50 from His Excellency the Governor was presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Message related to Executive business

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M., to wit :

Report of Committee on Judiciary on Bill to enable judgment debtors to sell their real and personal property, and to confirm sales made in conformity with conditions therein specified.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. WILSON, Section 1 was amended by filling the blank in the ninth line, printed Bill, with the word "three."

On motion of Mr. CORBIN, Section 1 was amended in the fourteenth line, printed Bill, by striking out the words "this Act" and inserting in lieu thereof the word "law."

On motion of Mr. WILSON, Section 4 was amended by filling the blank in the sixth line with the word "three."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

The Senate proceeded to the consideration of the second Special Order for this day at 1 P. M., to wit:

Report of the Receiver of the Bank of the State of South Carolina.

On motion of Mr. ARNIM, the Report was referred to the Committee on Finance.

The Senate proceeded to the consideration of the Special Order for this day at 1:30 P. M., to wit:

Bill to authorize the formation of, and to incorporate, the Savannah Valley Railroad Company.

The Bill having received its second reading,

On motion of Mr. WILSON, Section 5 was amended by the addition of the following proviso:

"Provided, however, That nothing herein contained shall be so construed as in any way to bind the State to subscribe stock in said Company, or to make any application to enable the said company to build said road by endorsement or otherwise."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

The Senate proceeded to the consideration of the second Special Order for this day at 1:30 P. M., to wit:

Joint Resolution making an appropriation of forty-seven thousand dollars for the completion of the State Lunatic Asylum.

The Joint Resolution received its second reading.

Mr. ROSE moved to amend Section 1 of the Resolution by striking out the words and figures "forty thousand (40,000)," and inserting in lieu thereof the words and figures "ten thousand (10,000)."

After debate, participated in by Messrs. Rose, Leslie, Swails, Nash, Allen, Hayne.

Mr. LESLIE moved that the Resolution be referred to a Special Committee, consisting of the Senator from Anderson, the Senator from Kershaw, and the Senator from Clarendon.

Mr. SWAILS moved that the motion of the Senator from Barnwell be ordered to lie on the table.

On the question of agreeing to the motion of the Senator from Williamsburg,

Mr. LESLIE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Barber, Cardozo, Corbin, Greene, Hayne, Johnston, Maxwell, McIntyre, Nash, Owens, Smalls, Swails, Whittemore, Wimbush.—15.

Nays—Messrs. Bieman, Dickson, Duncan, Duvall, Foster, Holcombe, Leslie, Rose, Wilson.—9.

So the motion of the Senator from Barnwell was ordered to lie on the table.

The question recurred on agreeing to the amendment of the Senator from York.

On motion of Mr. SWAILS, the consideration of the amendment of the Senator from York was indefinitely postponed.

Pending further debate,

On motion of Mr. WHITTEMORE, the further consideration of the Resolution was postponed, for the purpose of introducing the following Resolution:

Resolved, That, during the remainder of the session, no Senator shall be allowed to speak more than ten minutes at a time, and but twice on the same question, unless by the unanimous consent of the Senate.

Mr. WHITTEMORE moved that the Rule be suspended, and the Resolution considered immediately.

Objection being made, the Resolution was ordered for consideration on Monday.

The Senate resumed the consideration of Joint Resolution making an appropriation of forty-seven thousand dollars, for the completion of the State Lunatic Asylum.

The question recurred on agreeing to the Resolution.

Mr. LESLIE moved that the further consideration of the Resolution be postponed until the contract for the completion of the State Lunatic Asylum, and all accompanying papers connected therewith, be laid before the Senate for its consideration.

The motion of the Senator from Barnwell was subsequently withdrawn.

After further debate, participated in by Messrs. Leslie, Cardozo, Swails,
On motion of Mr. SWAILS, the further consideration of the Resolution was postponed, and made the Special Order for Monday, February 20, 1871, at 2 P. M

On motion of Mr. ROSE, at 3:30 P. M., the Senate adjourned.

MONDAY, FEBRUARY 20, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

The Clerk read a portion of the Journal of Saturday.

On motion of Mr. SWAILS, the further reading of the Journal was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., February 18, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that they respectfully refuse to concur in amendment of your honorable body to House Resolution for election, by General Assembly, of Judge of the Seventh Judicial Circuit, by striking out "Saturday, February 18," and inserting "Friday, February 24."

Very respectfully,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

Mr. CORBIN moved that the Senate insist on its amendment.

After debate, participated in by Messrs. Nash, Whittemore, Hayne, Corbin, Swails,

Mr. SWAILS moved to substitute the following :

Resolved by the Senate, the House of Representatives concurring, That both Houses meet in Joint Assembly this day, February 20, 1871, at 1:30 P. M., to elect a Judge for the Seventh Judicial Circuit, to fill the vacancy occasioned by the resignation of Hon. T. O. P. Vernon.

On the question of agreeing to the substitute,

Mr. SWAILS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Barber, Bieman, Duvall, Foster, Holcombe, Johnston, Montgomery, McIntyre, Nash, Rose, Swails.—12.

Nays—Messrs. Cardozo, Clinton, Corbin, Dickson, Duncan, Greene, Hayne, Leslie, Maxwell, Owens, Smalls, Whittemore, Wilson, Wimbush.—14.

So the Senate refused to agree to the substitute offered by the Senator from Williamsburg.

On the question of agreeing to the motion of the Senator from Charleston, that the Senate insist on its amendment,

Mr. JOHNSTON called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Cardozo, Clinton, Corbin, Dickson, Duncan, Duvall, Foster, Greene, Hayne, Leslie, Maxwell, Nash, Owens, Smalls, Whittemore, Wilson, Wimbush.—16.

Nays—Messrs. Arnim, Barber, Holcombe, Johnston, Montgomery, McIntyre, Rose, Swails.—8.

So the motion of the Senator from Charleston was agreed to.

A message was sent to the House of Representatives accordingly, and requesting a Committee of Conference

Messrs. Nash and Bieman were appointed Committee on the part of the Senate.

The House also sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., February 20, 1871.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that a Senate Concurrent Resolution, (substitute for House Concurrent Resolution), to instruct our Senators and Members of Congress to wait upon the President of the United States, and request the sending of troops to this State, has been laid on the table in this House.

Very respectfully, •

F. J. MOSES, JR.,
Speaker of the House of Representatives

The House also sent to the Senate,

Concurrent Resolution requesting the Joint Committee appointed to in-

investigate the affairs of the Constabulary Department to submit their Report on Tuesday, February 21, 1871.

On motion of Mr SWAILS, the Resolution was ordered to lie on the table, and a message sent to the House of Representatives accordingly.

The House returned, with concurrence,

Concurrent Resolution instructing the Committees of Ways and Means and Finance to examine and report upon the arrangements made and observed by the Comptroller-General for the custody of the public property;

Concurrent Resolution directing the Attorney-General to protect the interests of the State in the Spartanburg and Union Railroad Company.

The Senate returned, with amendments,

A Bill to incorporate the Town of Timmons ville ;

A Bill to renew and amend the charter of the Town of Mount Pleasant.

The amendments were concurred in.

Ordered, That the title of the Bills be changed to that of Acts, and that they be enrolled for ratification.

The House also returned, with amendments,

Senate Bill to renew and amend the charter of the town of Bamberg, S. C.

On the question of concurrence in House first amendment to Section 4 of the Bill,

Mr. SWAILS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Barber, Cardozo, Corbin, Dickson, Foster, Greene, McIntyre.—7.

Nays—Messrs. Arnim, Bieman, Clinton, Duncan, Duvall, Hayne, Holcombe, Leslie, Maxwell, Owens, Smalls, Swails, Whittemore, Wilson, Wimbush.—15.

So the Senate refused to concur.

On the question of concurrence in House second amendment to Section 4, and amendments to Sections 6 and 11 of the Bill,

Mr. SWAILS moved that the Senate do not concur.

On the question of agreeing to the motion of the Senator from Williamsburg,

On division, the Senate voted, yeas, 15; nays, 2.

So the Senate refused to concur, and a message sent to the House accordingly.

Mr. CORBIN moved that the vote whereby the Senate refused to concur in House amendments to Senate Bill to renew and amend the charter of the town of Bamberg be reconsidered.

On the question of agreeing to the motion of the Senator from Charleston,

On division, the Senate voted, yeas, 3 ; nays, 14.

So the Senate refused to reconsider.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., February 20, 1871.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that Messrs. Frost, Lee and Miles have been appointed a Committee of Conference on the part of the House to meet a Committee of Conference on the part of your honorable body, to adjust difference relative to amendment by your honorable body to House Concurrent Resolution for election, by Joint Assembly, of Judge of Seventh Judicial Circuit.

Very respectfully,

F. J. MOSES, JR.,
Speaker House of Representatives.

The House sent to the Senate,

Reports of House Committee on Claims on accounts of Woodward Allen, Raymond Owens and S. E. Gaillard ; which were referred to the Committee on Claims.

The House also sent to the Senate,

A Bill to incorporate and recharter certain religious institutions ;

A Bill to amend an Act entitled "An Act to define the jurisdiction and duties of County Commissioners ;"

A Bill to amend the first clause of Section 25, Title 3, of an Act entitled "An Act to revise, simplify and abridge the rules, practice, pleadings and forms of Courts in this State," approved March 1, 1870 ;

A Bill to incorporate the Capital Building and Loan Association, of Columbia ;

Joint Resolution to authorize the State to re-issue to W. B. Pringle, Executor of Mrs. Bertha Skirving, certificate of State Stock.

Joint Resolution to provide for the compensation of the State Librarian.

The above Bills and Joint Resolutions received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

PETITIONS, &c.

The PRESIDENT laid before the Senate the following communications :

IN THE SENATE, COLUMBIA, S. C., February 18, 1871.

Hon. C. W. MONTGOMERY, President pro tem of Senate.

SIR: In accordance with Resolution of the Senate, the undersigned

waited upon H. H. Kimpton, Esq., Financial Agent of the State, and was informed that communications containing replies to the questions asked by the Senate were transmitted to the Senate on the 16th instant, directed to Hon. A. J. Ransier, President of Senate, during his absence. The communications are respectfully enclosed.

Very respectfully,

J. WOODRUFF,
Clerk of Senate.

COLUMBIA, S. C., February 16, 1871.

Hon. A. J. RANSIER, President State Senate, Columbia, S. C.:

SIR:—Replying to the Senate Joint Resolution of the 15th instant, I have the honor to say that the bonds issued by the Land Commissioner for the purchase of lands still remain unsold, and have been used only as collateral security for advances made on account of State Treasurer's drafts.

Yours, respectfully,

H. H. KIMPTON,
Financial Agent S. C.

COLUMBIA, S. C., February 16, 1871.

Hon. A. J. RANSIER, President State Senate:

SIR:—Replying to Senate Resolution of the 15th instant, I have the honor to say that the Agricultural Land Scrip of South Carolina was sold to Mr. J. Thompson, of the First National Bank of New York City, on the twenty fifth day of October, 1870, at seventy-two and one-half cents per acre, cash; that the proceeds of the sale, by direction of the proper State authorities, were invested in bonds of the State of South Carolina, which bonds, with the interest thereon, are now in my hands subject to the order of any competent authority.

Yours, respectfully,

H. H. KIMPTON,
Financial Agent S. C.

On motion of Mr. SWAILS, the communications were received as information, and referred to the Committee on Finance.

The PRESIDENT also laid before the Senate,

Statement of the Receipts and Expenditures of the County Commissioners of Greenville County; which was ordered to be printed, and copies laid on the desks of Senators.

The PRESIDENT also laid before the Senate the following communication:

COUNTY TREASURER'S OFFICE,
FIRE-PROOF BUILDING,
CHARLESTON, S. C, February 18, 1871.

To the President of the Senate :

SIR: In compliance with a Resolution of your honorable body, I have the honor to transmit a Report of the moneys collected and paid out for County purposes, on the checks of County Commissioners; also, a list of County checks, with name of drawer, and amount thereof, together with the amount of tax levy for 1869. Amount of tax collection, and the amount of past due and unpaid taxes for County purposes.

The books of the Fifth and Sixth Districts have not been balanced and handed into the County Treasurer's office, consequently neither the amount of taxes collected in these Districts for County purposes, nor the amount of the delinquent tax, can yet be ascertained.

I beg leave to state that the Report is substantially correct. The list of payments of County orders and checks has been carefully compiled from the records of the office.

I am, sir, very respectfully, your obedient servant,

WM. GURNEY,

County Treasurer of Charleston County.

Ordered, That the communication, with accompanying documents, be printed, and copies laid on the desks of Senators.

Mr. CORBIN presented the request of the Senator from Lancaster, for further time in which to take testimony relative to the contested election case of a seat in the Senate from Lancaster County; which was referred to the Committee on Privileges and Elections.

Mr. HAYNE presented the account of C. M. Wiggins, for balance due for dieting prisoners in the jail of Marion County, S. C., in the years 1867 and 1868; which was referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to charter the town of Chesterfield, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill to authorize Clerks of Courts to perform all the duties heretofore performed by the Commissioners in Equity, as defined on the first day of January, 1869, reported back the same, with a recommendation that the Bill do not pass.

Ordered for consideration to-morrow.

Mr. CORBIN, from the Committee on the Judiciary, to was whom referred a Bill to amend an Act entitled "An Act to regulate the fees of Probate Judges, Clerks of Courts, Trial Justices and Magistrates, and other officers herein mentioned," reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. CORBIN, from the Committee on Privileges and Elections, to whom was referred a Bill to amend an Act entitled "An Act providing for the general elections, and the manner of conducting the same," approved March, 1870, reported back the same, with a recommendation that the Bill do pass as it now stands.

On motion of Mr. ARNIM, the Rule was suspended, and the Report considered immediately.

On motion of Mr. ARNIM, the further consideration of the Report and Bill was postponed, and made the Special Order for to-morrow, at 1 P. M.

Mr. HAYNE, from the Committee on Education, to whom was referred House Joint Resolution to appoint Trustees for the De La Howe Free School, reported back the same, with a recommendation that the Resolution do pass.

On motion of Mr. HAYNE, the Rule was suspended, and the Report considered immediately.

The Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That it be engrossed for a third reading.

Mr. HAYNE, from the Committee on Education, to whom was referred a Bill to require the State Treasurer to pay County Treasurers the apportionment of the State School Fund belonging to the respective Counties, reported back the same, with a recommendation that the Bill do pass.

On motion of Mr. HAYNE, the Rule was suspended, and the Report considered immediately.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Mr. HAYNE, from the Committee on Education, to whom was referred the memorial of the Columbia Female College, praying to be relieved from taxation, reported back the same, with a recommendation that the prayer of the petitioners be not granted.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to enable judgment debtors to sell their real and personal property, and to confirm sales already made in conformity with conditions therein specified.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Bill to alter and amend an Act entitled "An Act to alter and amend the charter and extend the limits of the city of Columbia."

The Bill received its third reading.

On motion of Mr. WHITTEMORE, and in accordance with previous notice, Section 11 was amended by striking out of the Section all after the word "thereof" in the ninth line, manuscript Bill.

The Bill, as amended, passed, and was ordered to be returned to the House of Representatives for concurrence in amendments.

BILLS INTRODUCED.

Mr. CORBIN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to provide for a harbor master for St. Helena Sound, Bull River, North and South Wimbee Creeks, and Coosaw River;

A Bill to regulate the disposition of fines and penalties imposed and collected in criminal causes by the Circuit Court of General Sessions and Trial Justices;

A Bill to provide for the appointment of an Agricultural College;

A Bill to regulate the granting of writs of *habeas corpus* in certain cases.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced

Bill to amend an Act entitled "An Act providing for the assessment and taxation of property," passed September 15, 1868, and all Acts amendatory thereof;

Bill to amend an Act entitled "An Act to better protect holders of Insurance Policies in this State."

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. WIMBUSH introduced the following Resolution :

Resolved, That the Clerk of the Senate be authorized to draw a pay certificate for thirty-five hundred dollars, on account of current printing.

On motion of Mr. WIMBUSH, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Mr. MAXWELL introduced the following Resolution :

Resolved, That from and after to-day, the Senate do meet at 11 A. M., and adjourn at 3 P. M. ; to meet again at 7 P. M., and adjourn at will.

Mr. MAXWELL moved that the Rule be suspended, and the Resolution considered immediately.

Objection being made, the Resolution was ordered for consideration to-morrow.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day at 1 P. M., to wit :

Bill to dispose of lands forfeited to the State.

On motion of Mr. WHITTEMORE, the consideration of the above Bill was continued to the next regular session of the General Assembly.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., February 20, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that the following Resolution, reported by the Committee of Conference, has been adopted :

Resolved by the House of Representatives, the Senate concurring, That both houses meet in Joint Assembly on Tuesday, the 21st instant, at 2:30 P. M., for the purpose of electing a Judge of the Seventh Judicial Circuit of South Carolina.

Very respectfully,

F. J. MOSES, Jr.,
Speaker House of Representatives.

Mr. NASH, from the Committee of Conference on the part of the Senate, submitted the following Report :

The Committee of Conference, on the part of the Senate, appointed to consider the causes of disagreement of the two Houses, on House Concurrent Resolution to meet in Joint Assembly to elect a Judge for the Seventh Judicial Circuit, beg leave to report that they met the Committee on the part of the House, and agreed to recommend the adoption of the following Resolution :

Resolved by the Senate, the House of Representatives concurring, That both Houses meet in Joint Assembly, on Tuesday, 21st inst., at 2:30 P. M., for the purpose of electing a Judge for the Seventh Judicial Circuit of the State of South Carolina.

Mr. CORBIN moved to lay the Report on the table.

On the question of agreeing to the motion of the Senator from Charleston.

Mr. BARBER called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Arnim, Barber, Bieman, Cardozo, Clinton, Corbin, Duncan, Duvall, Foster, Greene, Hayes, Hayne, Holcombe, Maxwell, McIntyre, Nash, Owens, Rose, Swails, Whittemore.—20.

Nays—Messrs. Johnston, Montgomery, Smalls.—3.

So the Report of the Committee was ordered to lie on the table.

Mr. SWAILS moved that the Report of the Committee on Conference be taken from the table for consideration.

On motion of Mr. HAYNE, the motion of the Senator from Williamsburg was ordered to lie on the table.

On the question of agreeing to the motion of the Senator from Marion, Mr. JOHNSTON called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Corbin, Duncan, Foster, Greene, Hayes, Hayne, Maxwell, Owens, Smalls, Whittemore, Wilson.—12.

Nays—Messrs. Arnim, Barber, Bieman, Cardozo, Clinton, Duvall, Holcombe, Johnston, Montgomery, McIntyre, Nash, Rose, Swails, Wimbush.—14.

So the Senate refused to lay on the table the motion of the Senator from Williamsburg.

The question was then taken on agreeing to the motion of the Senator from Williamsburg, and decided in the affirmative.

On the question of agreeing to the Report of the Committee of Conference,

Mr. ARNIM called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Arnim, Barber, Bieman, Cardozo, Clinton, Duvall,

Hayes, Holcombe, Johnston, Leslie, Montgomery, Nash, Rose, Smalls, Swails, Wimbush.—16.

Nays—Messrs Allen, Corbin, Duncan, Foster, Greene, Hayne, Maxwell, McIntyre, Owens, Whittemore, Wilson —11.

So the Report of the Committee of Conference was agreed to, and a message sent to the House of Representatives accordingly.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

On motion of Mr WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Resolution to limit debate during the remainder of the session.

Mr. CORBIN moved to amend by the addition of the words: "And the President shall enforce the Rule without his attention being called thereto by members."

The amendment was accepted.

Mr. LESLIE moved to amend by adding:

"That the Resolution shall apply only to the matters on the Calendar of the Senate of this date, and the Rule shall not be enforced as to Bills which may hereafter be introduced."

After debate, participated in by Messrs. Leslie, Whittemore, Corbin, Maxwell,

On motion of Mr. MAXWELL, the further consideration of the amendment of the Senator from Barnwell was indefinitely postponed.

The question was taken upon agreeing to the Resolution as amended, and decided in the affirmative.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 2 P. M., to wit:

Joint Resolution making an appropriation of forty-seven thousand dollars, for the completion of the State Lunatic Asylum.

The Joint Resolution having received its second reading,

Mr. ROSE moved to amend Section 1, by striking out the words and figures "forty thousand, (40,000)," and inserting in lieu thereof, the words and figures "ten thousand, (10,000)."

The amendment of the Senator from York was subsequently withdrawn.

Mr. DUVALL moved that Section 1 be amended, by striking out the words and figures "forty thousand, (40,000)," and inserting in lieu thereof, the words and figures "twenty-five thousand, (25,000)."

The question was taken on agreeing to the amendment of the Senator from Chesterfield, and decided in the negative.

Mr. LESLIE moved to amend Section 2, by the addition of the words "and that the said furniture shall be paid for upon the order of James M. Allen, Contractor."

The amendment of the Senator from Barnwell was not seconded.

Mr. LESLIE moved to amend Section 4, by striking out the words "approved by the Governor."

The question was then taken on agreeing to the amendment of the Senator from Barnwell, and decided in the negative.

There being no further amendments,

Ordered, That the Resolution be engrossed for a third reading.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders on the Calendar.

On motion of Mr. CORBIN, the Senate proceeded to the consideration, out of its order, of

Bill (by Committee on the Judiciary) to release the lien of the State upon a lot of land in the city of Charleston owned by the South Carolina Institute for the Promotion of Art, Mechanical Ingenuity and Industry, and take a similar lien upon the new hall erected by said South Carolina Institute.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. HAYNE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on the Judiciary on a Bill to regulate the manner of drawing juries.

On motion of Mr. HAYNE, the further consideration of the Report and Bill was postponed, and made the Special Order for to-morrow at 1 P. M.

On motion of Mr. SMALLS, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Roads, Bridges and Ferries on a Bill to provide for the construction and keeping in repair of public highways and roads.

On motion of Mr. SMALLS, the further consideration of the Report and Bill was postponed, and made the Special Order for Wednesday, February 22, at 1 P. M.

On motion of Mr. WHITTEMORE, at 3:45 P. M., the Senate adjourned.

TUESDAY, FEBRUARY 21, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

On motion of Mr. ROSE, the reading of the Journal of yesterday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., February 21, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that they refuse to concur in the following amendments of your honorable body to Section 8 of a Bill to alter and amend an Act entitled "An Act to alter and amend the charter of the city of Columbia," viz: "*Provided*, That the charge for said licenses shall not exceed the amounts specified by the ordinance, as amended and declared valid in the twelfth Section of this Act;" also, to the proviso in Section 12, to wit: "*Provided*, That only one license shall be required from any person, company or corporation for business conducted in any one establishment or place of business."

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

On motion of Mr CORBIN, a message was returned to the House of Representatives, insisting on the Senate's amendments, and requesting the appointment of a Committee of Conference.

Messrs. Corbin and Nash were appointed the Committee on part of the Senate.

The House also sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., February 20, 1871.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that they recede from amendments to Senate Bill to renew and amend the charter of the town of Bamberg.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker of the House of Representatives.

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled for ratification.

The House sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., February 21, 1871.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that Messrs. Thompson, Simons and Jones have been appointed Committee of Conference on the part of the House to meet Committee of Conference on the part of your honorable body to adjust the differences relative to the Senate amendments to a Bill to alter and amend an Act entitled "An Act to alter and amend the charter and extend the limits of the city of Columbia."

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker of the House of Representatives.

PETITIONS, &c.

Mr. LESLIE presented the Preamble and Resolutions adopted at a meeting of citizens of Chesterfield County, February 9th, 1871, relative to the ejection of Messrs. M. I. Hough and B. C. Evans from their seats in the House of Representatives; which were read and received as information.

The PRESIDENT laid before the Senate,

Report of the Board of County Commissioners of Chesterfield of receipts and expenditures of that County, which was ordered to be printed and laid on the desks of Senators.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed and ready for a third reading,

A Bill to authorize the formation of, and to incorporate, the Savannah Valley Railroad Company.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to release the lien of the State upon a lot of land in the city of Charleston, owned by the South Carolina Institute for the Promotion of Art, Mechanical Ingenuity and Industry.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

A Bill to require the State Treasurer to pay County Treasurers the apportionment of the State School Fund belonging to their respective Counties, and for other purposes.

The Bill received its third reading, passed;

Ordered, That the title of the Bill be changed to that of an Act, and that it be enrolled for ratification.

Joint Resolution making an appropriation of forty-seven thousand dollars for the completion of the State Lunatic Asylum, and for other purposes.

The Joint Resolution received its third reading.

On the question of agreeing to the passage of the Resolution,

Mr. ARNIM called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Arnim, Barber, Cardozo, Clinton, Corbin, Greene, Hayes, Hayne, Johnston, Maxwell, McIntyre, Nash, Owens, Swails, Whittemore—15.

Nays—Messrs. Bieman, Duvall, Foster, Leslie.—4.

So the Resolution passed, and was ordered to be sent to the House of Representatives.

Joint Resolution to provide for the payment of mileage certificates of members of the State Board of Education.

The Resolution received its third reading, passed;

Ordered, That it be enrolled for ratification.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Concurrent Resolution to authorize the State Librarian to transfer certain volumes of law reports in the State Library, to the Supreme Court, reported back the same, with a recommendation that the Resolution do pass.

Ordered for consideration to-morrow.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill to amend an Act entitled "An Act to revise, simplify and abridge the rules, practice, pleadings and forms of Courts in this State,

reported back the same, accompanied by the following substitute, and a recommendation that it do pass:

A Bill to amend Section 23 of the Code of Procedure.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill to amend Section 18 of the Code of Procedure, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill to authorize Probate Judges to perform all the duties heretofore performed by Commissioners in Equity, as defined on the 1st day of January, 1869, reported back the same, with a recommendation that it do not pass.

Ordered for consideration to-morrow.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill to provide for the appointment of Trial Justices, the organization of their Courts, and the jurisdiction of the same, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill to amend so much of an Act entitled "An Act to revise, simplify and abridge the Rules, Practice, Pleadings and Forms of Courts in the State" as pertains to the Third, Fourth and Fifth Judicial Circuits of the State, reported back the same, with a recommendation that it do not pass.

Ordered for consideration to-morrow.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill to amend an Act entitled "An Act to regulate the fees of Probate Judges, Clerks of Courts, Trial Justices, Magistrates and other officers herein mentioned," reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. WHITEMORE, from the Committee on Public Lands, to whom was referred the Petition of the Wardens of the Town of Newberry, reported back the same, accompanied by the following Bill, and a recommendation that it do pass:

Bill authorizing the Town Council of Newberry to erect a market house on a lot of land belonging to the County of Newberry.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. CORBIN, from the Committee on the Judiciary, to whom was re-

ferred a Bill to create the County of Coosawhatchie, reported back the same, without recommendation.

Ordered for consideration to-morrow.

Mr CORBIN, from the Committee on the Judiciary, to whom was referred the petition of sundry merchants and others of the city of Charleston, praying the passage of an Act creating the office of Assistant Flour Inspector for the city of Charleston, reported back the same, accompanied by the following Bill, and a recommendation that it do pass :

A Bill to amend an Act entitled "An Act to provide for the inspection of flour," enacted on the 20th day of December, 1850.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr MAXWELL, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification,

An Act to provide for the protection of persons, property, and the public peace.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the above Act.

BILLS INTRODUCED.

Mr. WIMBUSH asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to abolish the Sixth Circuit, and to re-organize certain other Circuits herein named.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. CORBIN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill for the protection of buoys and beacons ;

A Bill to provide for the relinquishment to the United States, in certain cases, title to lands for sites of light stations on the coast and waters of this State.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

GENERAL ORDERS

The Senate proceeded to the consideration of General Orders on the Calendar.

On motion of Mr. BIEMAN, the Senate proceeded to the consideration, out of its order, of

Bill to incorporate the Walhalla Hook and Ladder Company, of Walhalla, South Carolina

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. ARNIM, the Senate proceeded to the consideration, out of its order, of

Bill (House) to amend an Act entitled "An Act to define the jurisdiction and duties of County Commissioners"

On motion of Mr. ARNIM,

The Bill was read by its title, and referred to the Committee on County Offices and Officers.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Bill (House) to permit William L. Wood to adopt Napoleon B. Smith, to make him his lawful heir, and to change the name of the said Napoleon B. Smith to that of Napoleon B. Wood.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on Education on Bill to enlarge and define the powers of the Charleston City Board of School Commissioners, and to allow said Board to levy a tax for the support of the free schools of the City of Charleston.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. BIEMAN, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on Railroads on Bill to authorize the formation of, and to incorporate, the Tugaloo and Chattanooga Railroad Company.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. BIEMAN, Section 5 was amended by the addition of the following proviso:

"Provided, however, That nothing herein contained shall be so construed

as to bind the State to subscribe stock in said company, or make any appropriations to enable the said company to build the said road, or in any manner to loan the credit of the State thereto."

On motion of Mr. ARNIM, Section 5 was further amended, in the first line, printed Bill, by striking out, before the word "powers," the word "the," and inserting in lieu thereof the word "such;" also by inserting between the words "powers" and "conferred," the words "as are."

On motion of Mr. CORBIN, Section 7 was amended by the addition of the following proviso: "*Provided*, That said Company shall commence the building of said road within two years, and have the same completed within six years."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WIMBUSH, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on Mines and Mining on a Bill to incorporate the Union Gold Mining Company, of South Carolina.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. CORBIN, Section 6 was amended in the fifth line, printed Bill, by striking out all after the word "subscribe;" also by striking out all after the word "that," in the first line, down to and inclusive of the word "all," in the second line.

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No. 51 from His Excellency the Governor was presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Message related to Executive business.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders on the Calendar.

On motion of Mr. CORBIN, the Senate proceeded to the consideration, out of its order, of

Bill to regulate the granting of writs of *habeas corpus* in certain cases.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. CORBIN, the Senate proceeded to the consideration, out of its order, of

Bill to regulate the disposition of fines and penalties imposed and collected in criminal causes by the Circuit Court of General Sessions and Trial Justices

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. CORBIN, Section 1 was amended in the sixth line, printed Bill, by inserting after the word "County" the words "for County purposes."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M., to-wit:

Report of Committee on Privileges and Elections on Bill to amend an Act entitled "An Act providing for the general elections," and the manner of conducting the same."

On motion of Mr. CORBIN, the further consideration of the Report and Bill was postponed, and made the Special Order for to-morrow, at 1 P. M., and the Report and Bill ordered to be printed.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

On motion of Mr. BIEMAN, the Senate proceeded to the consideration, out of its order, of

Report of Committee on County Offices and Officers on a Bill to provide for the election of County Auditors and Treasurers.

The Report was read, and the Bill taken up for a second reading.

Mr. HAYNE moved that the enacting clause of the Bill be stricken out.

Mr. HAYES moved that the motion of the Senator from Marion be ordered to lie on the table

On the question of agreeing to the motion of the Senator from Lexington,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Bieman, Hayes, Wilson.—4

Nays—Messrs. Barber, Clinton, Corbin, Dickson, Duvall, Greene, Hayne, Johnston, Leslie, Montgomery, Owens, Rose, Whittemore.—13.

So the Senate refused to lay the motion of the Senator from Marion on the table.

On the question of agreeing to the motion of the Senator from Marion, Mr. HAYES called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Barber, Corbin, Greene, Hayne, Johnston, Leslie, Montgomery, McIntyre, Nash, Owens, Rose, Smalls, Whittemore.—13.

Nays—Messrs. Arnim, Bieman, Cardozo, Clinton, Dickson, Duvall, Hayes, Wilson.—8.

On motion of Mr. ROSE, the Senate proceeded to the consideration, out of its order, of

• Report (unfavorable) of the Committee on Finance on Bill requiring County Treasurers of the respective Counties of the State, to attend at each polling precinct in the County for the collection of taxes.

The Report was read, agreed to, and the Bill, accordingly, ordered to lie on the table.

UNFINISHED BUSINESS.

The Senate resumed the consideration of the unfinished business, to wit:

Report of Committee on Education on claims of R. A. Green and L. Cain, for services as school teachers for Edgefield County

The question was taken on agreeing to the Report and decided in the affirmative.

Ordered, That the claims be returned to the House of Representatives.

SPECIAL ORDER.

The Senate proceeded to the consideration of the second Special Order for this day, at 1 P. M.

Report of Committee on the Judiciary on Bill to regulate the manner of drawing juries.

The Report was read, and Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Section 2 was amended by inserting after the words "Secretary of State" the words "Superintendent of Education."

On motion of Mr. MCINTYRE, Section 2 was further amended by

inserting after the words "Superintendent of Education" the words "Commissioner of Agricultural Statistics."

Mr. ARNIM moved to amend Section 2, in the fourth line, printed Bill, by striking out the words "during the session."

Mr. HAYNE moved that the consideration of the motion of the Senator from Edgefield be indefinitely postponed

The motion of the Senator from Marion was subsequently withdrawn.

On the question of agreeing to the motion of the Senator from Edgefield,

On division, the Senate voted yeas, 2; nays, 15.

So the amendment of the Senator from Edgefield was not agreed to

On motion of Mr. WHITTEMORE, Section 4 was amended to read as follows:

"SECTION 4. That the County Treasurer, Chairman of the Board of County Commissioners, and County Auditor, shall constitute a Board of Jury Commissioners in each County."

On motion of Mr. CORBIN, Section 5 was amended by inserting after the word "year," in the first line, the words "during the month of January;" also, by inserting after the word "January," the words "and, for the present year, within one month after the passage of this Act."

On motion of Mr. WHITTEMORE, Section 5 was further amended, in the fifth line, printed Bill, by striking out before the word "voters" the word "fifteen," and inserting in lieu thereof the word "twenty."

The question was taken on agreeing to the recommendation of the Committee on the Judiciary to amend Sections 5, 6, 7, 8, 9, 12, 13, 31, and 37, by striking out the words "of Jury Commissioner," and inserting in lieu thereof "Board of Jury Commissioners."

On motion of Mr. WHITTEMORE, Section 10 was amended to read as follows:

SECTION 10. Nothing contained in the preceding Sections shall prevent the Clerk of any Court of Common Pleas from issuing *venires* for additional jurors, in term time, whenever it is necessary for the convenient dispatch of business, in which case the *venires* shall be served and returned, and the jurors required to attend on such days as the Court shall direct.

The question was taken on agreeing to the following recommendations of the Committee on the Judiciary, and decided in the affirmative:

In Section 12, line 3, strike out "he."

In Section 21, strike out "Jury Commissioner," and insert "Sheriff."

In Section 25, line 2, strike out "not."

In Section 27, between "time" and "without," line 5, insert "with the permission of the Court."

In Section 30, line 4, strike out "twenty," and insert "one hundred."

In Section 32, strike out "Magistrates."

In Section 35, line 3, between "forthwith" and "such," insert "from the bystanders."

In Section 36, line 1, strike out "six," and insert "two."

Strike out Section 37. Sections 38, 39, and 40, shall become Sections 37, 38, and 39.

On motion of Mr. WHITTEMORE, Section 32 was amended in the second line by inserting, after the word "rape" "or grand larceny."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading

JOINT ASSEMBLY.

At 2:30 P. M., pursuant to Concurrent Resolution, and interchange of messages between the two houses, the Senate proceeded to the hall of the House of Representatives, to unite with that body in the election of a Judge for the Seventh Judicial Circuit of the State of South Carolina

The two houses having met in Joint Assembly, it was called to order by Hon. A. J. RANSIER, President of the Senate.

The PRESIDENT announced that the two houses had convened in Joint Assembly, agreeably to Concurrent Resolution, and interchange of messages, for the purpose of entering into an election for Judge for the Seventh Judicial Circuit of the State of South Carolina, to fill the vacancy occasioned by the resignation of Hon. T. O. P. Vernon, and the Chair was ready to receive nominations.

Mr. RAMSAY nominated Mr. Montgomery Moses.

Mr. R. SMALLS nominated General Samuel McGowan, of Abbeville.

Mr. CORBIN withdrew the name of Mr. Wm. E. Earle.

On motion of Mr. WHITTEMORE, it was

Resolved, That upon a call of the Roll of the respective Houses, the member called shall rise, and announce distinctly the name of the person for whom he votes, which name shall be repeated by the Clerk of that Branch to which said member belongs.

On motion of Mr. DENNIS, it was

Resolved, That, after the call of the Roll, the Clerk of each Branch shall call over the names of the members voting, the number voting, and the number of votes given to each candidate.

The Joint Assembly then proceeded to vote *viva voce* for a Judge of the 7th Judicial Circuit of the State of South Carolina.

JOURNAL OF THE SENATE, SENATE.

Those who voted for General Samuel McGowan are :

Messrs. Allen, Barber, Cardozo, Clinton, Corbin, Duvall, Foster, Greene, Hayes, Leslie, Maxwell, McIntyre, Owens, Smalls, Whittemore, Wilson—16.

Those who voted for Mr. Montgomery Moses are :

Messrs. Bieman, Holcombe, Johnston, Montgomery, Rose—5.

Mr. Swails voted for Mr. J. Rice Foster.

Number of Senators voting.....22

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. Montgomery Moses are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Adamson, Allen, Bascomb, Bass, Berry, Bosemon, Bowley, Briggs, Bryan, Byas, E. Cain, Corwin, Cousart, Dannerly, J. Davis, T. A. Davis, Dennis, Dusenbury, Elliott, Farr, Ferguson, Ford, Frost, Gaither, Gardner, Garey, Giles, Glover, S. Greene, J. A. Green, Guffin, Hardy, Hart, C. D. Hayne, Hedges, Holmes, Hudson, Humbert, Humphries, Hunter, Hurley, Jamison, Jervy, Jones, Keith, Kuh, Lee, Levy, Litchfield, Littlefield, Lloyd, Maddocks, T. D. McDowell, W. J. McDowell, Mead, Miles, Milton, Mobley, Moore, Mickey, Nerland, O'Connell, Pendergrass, Ramsay, Reedish, Rivers, Saunders, Simons, A. L. Singleton, J. P. Singleton, Small, Smart, A. Smith, R. M. Smith, Sullivan, Talbert, Tarlton, W. M. Thomas, Thompson, Wallace, Warley, White and Wofford—84.

Those who voted for Mr. Samuel McGowan are :

Messrs. Barker, Boston, Derrick, Duncan, Ellison, Gantt, Goggins, Hagood, Harris, Henderson, Jackson, Johnson, Kennedy, Lyle, Myers, Nehemias, Perry, Shanklin, Taylor, J. W. Thomas, Williams and Wilson—22.

Mr. L. Cain voted for Mr. Wm. E. Earle—1.

Mr. Yocom voted for Mr. S. L. Hoge—1.

Whole number of Representatives voting.....108

RECAPITULATION.

Mr. Montgomery Moses received.	89
Mr. S. McGowan received	38
Mr. W. E. Earle received.....	1
Mr. J. Rice Foster received	1
Mr. S. L. Hoge received.....	1
<hr/>	
Whole number of votes given.....	130
Necessary to a choice.....	66

The PRESIDENT announced that Hon. Montgomery Moses, having received a majority of the whole number of votes given, was duly elected Judge of the Seventh Judicial Circuit of the State of South Carolina.

The PRESIDENT thereupon announced the Joint Assembly dissolved. The Senate returned to its chamber, at 3:10 P. M.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading:

Bill to permit William L. Wood to adopt Napoleon B. Smith, to make him his lawful heir, and to change the name of the said Napoleon B. Smith to that of Napoleon B. Wood;

A Bill to incorporate the Walhalla Hook and Ladder Company, of Walhalla, South Carolina

Ordered for a third reading to-morrow.

EXECUTIVE SESSION.

At 3:15 P. M., on motion of Mr. HAYNE, the Senate went into Executive Session.

After the disposal of Executive business, the Senate, at 4 P. M., returned to open session.

RESOLUTIONS.

Mr. SMALLS introduced the following Preamble and Resolution:

Whereas, to-morrow, the 22d day of February, is the birth day of the Father of our Country; and whereas, it should be duly commemorated; therefore, be it

Resolved, That the State and United States flags be hoisted on the State House to-morrow from sunrise to sunset in honor of the above.

On motion of Mr. SMALL, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative

On motion of Mr. WHITTEMORE, at 4:20 P. M., the Senate adjourned.

WEDNESDAY, FEBRUARY 22, 1871.

Pursuant to adjournment, the Senate assembled at 12 M, and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

On motion of Mr WHITTEMORE, the reading of the Journal of yesterday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

Concurrent Resolution instructing the Clerks of both Houses to issue pay certificates to members, officers and employees of the General Assembly, from February 1st to March 1st, 1871, inclusive.

The Resolution was concurred in, and ordered to be returned to the House of Representatives.

The House also sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C, February 22, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that it has agreed to the Report of the Joint Committee of Conference on a Bill entitled " A Bill to alter and amend an Act entitled ' An Act to alter and amend the charter and extend the limits of the City of Columbia, ' " approved February 20, 1870.

Very respectfully,

F. J. MOSES, JR.,
Speaker House of Representatives.

REPORTS OF COMMITTEES.

Mr. WIMBUSH, from the Joint Committee appointed to investigate the affairs of the Sinking Fund Commission, reported that the Committee had duly organized, proceeded with the discharge of the duties imposed upon them as far as practicable, and respectfully asked for further time for the completion of their labors.

Ordered for consideration to-morrow.

Mr. LESLIE, from the Special Committee, to whom was referred a Bill to establish a new Judicial and Election County from the Counties of Barnwell, Edgefield, Lexington and Orangeburg, to be known as Aiken County, reported back the same, with a recommendation that the Bill do pass, amended as follows :

That Section 4 be amended by inserting after the word "act," on the second line, the words "previous to;" and, further, by striking out the figures "1874," and inserting in lieu thereof "1871;" and, still further, by adding, on the third line, after the words "County officers," "and Representatives as."

That Section 5 be stricken out, and the following substituted, to wit: "That the elections held as provided in the preceding Section for Representatives, shall not affect the representation of the several Counties of the State as now established."

That Section 6 be amended by striking out the word "sixth," and inserting in lieu thereof the word "second."

Amend Section 7 by striking out "4," on the first line, and inserting "2," so that it will read "1872."

Strike out Section 8.

On motion of Mr. LESLIE, the consideration of the Report and Bill was made the Special Order for to-morrow at 1 P. M.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed and ready for ratification:

An Act to incorporate the Rock Hill Hook and Ladder Company;

An Act to incorporate the Saving, Building and Loan Association of South Carolina;

An Act to supply the deficiency in the appropriation for the support and maintenance of free schools for 1870;

An Act to authorize Circuit Judges to hold Courts in other Circuits than their own;

An Act to incorporate the Champion Hook and Ladder Company, of Chester;

An Act to incorporate the Mechanics' Union, No. 1, of the city of Charleston, S. C.;

An Act to incorporate the town of Timmons ville.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the above Acts.

Mr. CORBIN, from the Joint Committee of Conference, on matters of disagreement on a Bill to alter and amend an Act entitled "An Act to alter and amend the charter and extend the limits of the city of Columbia," approved February 26, 1870, made the following

REPORT.

The Committee of Conference appointed by the Senate and House of Representatives to consider and report upon the matters of disagreement between the Senate and House of Representatives on the above entitled Bill, have considered the same, and beg leave to report:

That they recommend that the Senate recede from its amendment to the said Bill, whereby the following proviso is inserted: "*Provided, That the charge of said licenses shall not exceed the amounts specified by the ordinance as amended and declared valid in the twelfth Section of this Act,*" and that said proviso be stricken out.

And your Committee further recommend that the Senate recede from its amendment whereby the following proviso is inserted: "*Provided, That only one license shall be required from any person, company and corporation for business conducted in any one establishment or place of business, excluding liquor licenses and billiard tables,*" and that said proviso be stricken out.

All of which is respectfully submitted.

D. T. CORBIN,

W. B. NASH,

Committee on part of Senate.

S. B. THOMPSON,

W. H. JONES, JR.,

WM. SIMONS,

Committee on part of House of Representatives.

The question was taken on agreeing to the Report, and decided in the affirmative, and a message sent to the House of Representatives accordingly.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading:

Bill to regulate the granting of writs of *habeas corpus* in certain cases;

Bill to enlarge and define the powers of the Charleston City Board of School Commissioners, and to allow said Board to lay a tax for the support of the free schools of the city of Charleston;

Bill to regulate the disposition of fines and penalties imposed and collected in criminal cases by the Circuit Court of General Sessions and Trial Justices;

Bill to incorporate the Union Gold Mining Company of South Carolina.

The above Bills received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Joint Resolution to appoint Trustees for the De La Howe Free School, Abbeville County.

The Joint Resolution received its third reading, passed;

Ordered, That it be enrolled for ratification.

NOTICES OF BILLS.

Mr. NASH gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

Bill to amend an Act entitled "An Act to regulate the fees of Sheriffs and other officers therein named, and for other purposes."

Mr. DUVALL gave notice that on to-morrow, or some subsequent day, he will ask leave to introduce

Bill to incorporate the Brewer Gold Mining Company of South Carolina.

GENERAL ORDERS.

The Senate proceeded to the consideration of General Orders on the Calendar.

Bill (House) to permit William L Wood to adopt Napoleon B. Smith, to make him his lawful heir, and to change the name of the said Napoleon B. Smith to that of Napoleon B Wood.

The Bill received its third reading, passed ;

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled for ratification.

Bill to incorporate the Walhalla Hook and Ladder Company, of Walhalla, South Carolina.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

On motion of Mr. BARBER, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Claims and Grievances on Report of House Committee on accounts of Winnsboro News and Fairfield Herald.

The question was taken on agreeing to the Report, and decided in the affirmative.

Ordered, That the House Report and accounts be returned to the House of Representatives.

On motion of Mr. Allen, the Senate proceeded to the consideration, out of its order, of

Bill to authorize the County Commissioners of Spartanburg, Greenville, Pickens and Oconee, and the authorities of certain towns therein, to provide means to meet interest on certain bonds.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Education on Bill to incorporate the Clafin University and State Agricultural College.

On motion of Mr. WHITTEMORE, the further consideration of the Report and Bill was postponed, and made the Special Order for to-morrow at 1:30 P. M.

The Senate proceeded to the consideration of

Report of Committee on Public Lands on Joint Resolution authorizing A. R. Taylor, Henry Arthur, and others, to continue, for a term of two years, two gates erected by them across the old State road in Lexington County. at the beginning and terminus of their planting lands.

The Report was read, and the Joint Resolution taken up for a second reading.

The Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That the Resolution be engrossed for a thrd reading.

On motion of Mr. WIMBUSH, the Senate proceeded to the consideration, out of its order, of

Bill to abolish the Sixth Circuit, and to re-organize certain other Circuits herein named.

On motion of Mr. WIMBUSH, the Bill was read by its title, and referred to the Committee on the Judiciary.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Bill authorizing the Town Council of Newberry to erect a market house on a lot of land belonging to the County of Newberry.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. SWAILS, the Senate proceeded to the consideration, out of its order, of

Bill (House) to authorize the Clerks of the Courts of Common Pleas to take testimony in certain cases.

On motion of Mr. SWAILS, the Bill was read by its title, and referred to the Committee on the Judiciary.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on the Judiciary on a Bill to enforce the payment of the poll tax.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. ARNIM moved that the enacting clause of the Bill be stricken out.

The question was taken on agreeing to the motion of the Senator from Edgefield, and decided in the negative.

Mr. SWAILS moved that the further consideration of the Bill be indefinitely postponed.

After debate, participated in by Messrs. Whittemore, Corbin, Swails, Arnim, Hayne, Johnston,

On the question of agreeing to the motion of the Senator from Williamsburg,

Mr. JOHNSTON called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Johnston, Owens, Swails.—3.

Nays—Messrs. Arnim, Bieman, Cardozo, Corbin, Dickson, Duncan, Duvall, Foster, Hayne, Leslie, Maxwell, McIntyre, Nash, Rose, Smalls, Whittemore, Wilson.17—.

So the Senate refused to indefinitely postpone the further consideration of the Bill.

Mr. ARNIM moved to amend Section 2, by striking out the words "imprisoned for the same, in the County jail, for a term not less than fifteen days," and inserting in lieu thereof the words, "be forced by some means to work the roads."

Mr. HAYNE moved to amend the amendment of the Senator from Edgefield by adding "or be imprisoned for the same in the County Jail for a term of not less than ten days."

The question was taken on agreeing to the amendment to the amendment, and decided in the affirmative.

The question recurred on agreeing to the amendment as amended.

After debate, participated in by Messrs. Arnim, Wimbush, Whittemore, Nash, Hayne,

On motion of Mr. HAYNE, the further consideration of the amendment to the amendment, and the amendment, was indefinitely postponed.

Mr. HAYNE moved to amend Section 2, in the twelfth line, by striking out, before the word "days," the word "fifteen," and inserting, in lieu thereof, the word "thirty."

Mr. SWAILS moved that the further consideration of the amendment of the Senator from Marion be indefinitely postponed.

On the question of agreeing to the motion of the Senator from Williamsburg,

Mr. JOHNSTON called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Clinton, McIntyre, Owens, Smalls, Swails, Wimbush.—7.

Nays—Messrs. Bieman, Cardozo, Corbin, Dickson, Duncan, Duvall, Foster, Hayne, Johnston, Maxwell, Nash, Rose, Whittemore, Wilson.—14.

So the Senate refused to indefinitely postpone the consideration of the amendment of the Senator from Marion.

Mr. ARNIM moved to amend the amendment of the Senator from Marion, by striking out the words "thirty days," and inserting in lieu thereof the words "twelve months."

The amendment to the amendment was not seconded.

The question recurred on agreeing to the amendment of the Senator from Marion.

After debate, participated in by Messrs. Hayne, Wimbush, Arnim, Whittemore,

On the question of agreeing to the amendment of the Senator from Marion,

Mr. SMALLS called for the yeas and nays.

The yeas and nays were taken and resulted as follows:

Yeas—Messrs. Bieman, Cardozo, Corbin, Dickson, Duvall, Foster, Hayne, Maxwell, Rose, Whittemore, Wilson—11.

Nays—Messrs. Arnim, Clinton, Duncan, McIntyre, Nash, Smalls, Wimbush—7.

So the amendment of the Senator from Marion was agreed to.

On motion of Mr. WHITTEMORE, Section 2 was further amended, by inserting in line twelve, between the words "be" and "imprisoned" the words "on conviction thereof."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading

On motion of Mr. CORBIN, the Senate proceeded to the consideration, out of its order, of

Bill to provide a harbor master for St. Helena Sound, Bull River, North and South Wimbee Creeks, and Coosaw River.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. ARNIM moved that the further consideration of the Bill be postponed, and made the Special Order for 2 P. M.

After debate, participated in by Messrs. Corbin, Smalls, Hayne, Arnim, Mr. SMALLS moved that the enacting clause of the Bill be stricken out.

Pending further debate, participated in by Messrs. Corbin, Leslie,

The PRESIDENT announced the hour arrived for the consideration of the Special Order, to wit:

Report of Committee on Roads, Bridges and Ferries on a Bill to pro-

vide for the construction and keeping in repair public highways and roads.

On motion of Mr. WHITTEMORE, the further consideration of the Special Order was postponed until the disposal of the matter previously under consideration.

GENERAL ORDERS

The Senate resumed the consideration of the General Orders.

Bill to provide a harbor master for St. Helena Sound, Bull River, North and South Wimbee Creeks, and Coosaw River.

The question recurred on agreeing to the motion of the Senator from Beaufort.

Mr. CORBIN moved to amend the Bill by striking out sub division 2 of Section 1.

On the question of agreeing to the amendment of the Senator from Charleston,

On division, the Senate voted yeas, 9; nays, 7.

So the amendment of the Senator from Charleston was agreed to.

Mr. CORBIN moved that the Bill be further amended by striking out, in Section 5, the words "of obtaining cargoes of Phosphatic Rocks and Phosphatic deposits and other."

Pending debate, participated in by Messrs. Corbin, Leslie,

Mr. HAYNE moved that the further consideration of the Bill be indefinitely postponed.

On the question of agreeing to the motion of the Senator from Marion, Mr. SWAILS called for the yeas and nays

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Bieman, Duncan, Hayne, Johnston, Leslie McIntyre, Owens, Smalls, Swails.—10.

Nays—Messrs. Cardozo, Clinton, Corbin, Hayes, Holcombe, Montgomery, Nash, Whittemore.—8.

So the further consideration of the Bill was indefinitely postponed.

On motion of Mr. HAYNE, the Senate proceeded to the consideration, out of its order, of

Bill (House) to regulate the measurement and inspection of Timber and Lumber in the city of Charleston.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. WHITTEMORE moved to amend Section 3, in the fourth line, printed Bill, by striking out the word "thirty," and inserting in lieu thereof the word "fifteen."

Mr. JOHNSTON moved that the further consideration of the amendment of the Senator from Darlington be indefinitely postponed.

On the question of agreeing to the motion of the Senator from Sumter, Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Bieman, Duvall, Hayne, Holcombe, Johnston, Leslie, Maxwell, McIntyre, Nash, Owens, Smalls, Swails, Wimbush.—13.

Nays—Messrs. Arnim, Cardozo, Clinton, Corbin, Hayes, Montgomery, Rose, Whittemore, Wilson.—9.

So the further consideration of the amendment of the Senator from Darlington was indefinitely postponed.

Mr. WHITTEMORE moved that the further consideration of the Bill be postponed and made the Special Order for to-morrow at 2 P. M.

After debate, participated in by Messrs. Corbin, Whittemore, Leslie,

Mr. CORBIN moved that the further consideration of the Bill be indefinitely postponed.

On the question of agreeing to the motion of the Senator from Charleston,

Mr. SMALLS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Cardozo, Clinton, Corbin, Duncan, Duvall, Foster, Hayes, Holcombe, Maxwell, Nash, Rose, Whittemore, Wilson—14.

Nays—Messrs. Bieman, Hayne, Johnston, Leslie, Montgomery, McIntyre, Owens, Smalls, Swails, Wimbush—10.

So the further consideration of the Bill was indefinitely postponed.

Messrs. LESLIE and CORBIN obtained the floor and spoke to a question of privilege.

After which,

On motion of Mr. WHITTEMORE, at 3:20 P. M., the Senate adjourned

THURSDAY, FEBRUARY 23, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

On motion of Mr. WHITTEMORE, the reading of the Journal of yesterday was dispensed with.

PETITIONS, &c.

Mr. JOHNSTON presented the account of Jno. Crowley & Co., against the Sergeant-at-Arms, for coal furnished the Senate; which was considered immediately, and ordered to be paid.

The PRESIDENT laid before the Senate the Report of the County Board of Canvassers for the County of Abbeville of the votes given for Senator, voted in the said County on the 16th day of February, A. D. 1871; which was received as information, and ordered to lie on the table, til the receipt of the Report of the Board of State Canvassers.

REPORTS OF COMMITTEES.

Mr. HAYES, from the Committee on Claims, to whom was referred the Report of House Committee on Claims on the account of Woodward Allen and Raymond Owens, reported back the same, with a recommendation that the Senate concur

Ordered for consideration to-morrow.

Mr. HAYES, from the Committee on Claims, to whom was referred the account of Butler Spears, for payment of a horse lost in the service of the State while engaged on the Constabulary force, reported back the same, with a recommendation that the claim, amounting to two hundred and twenty-five dollars, be paid.

The question was taken on agreeing to the Report, and decided in the affirmative.

Ordered, That it be sent to the House of Representatives for concurrence.

Mr. HAYNE, from the Committee on Education, to whom was referred Report of House Committee on Education on the accounts of C. C. Perry and Miss H. M. Butler, reported back the same, with the recommendation that the Senate concur.

On motion of Mr. HAYNE, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

Ordered, That the claims be returned to the House of Representatives.

Mr. HAYNE, from the Committee on Education, to whom was referred the claims of M. J. Cantwell, S. M. Putnam, and M. D. Haddens, for services rendered as teachers, reported back the same, with the recommendation that the claims be paid.

On motion of Mr. HAYNE, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

Ordered, That it be sent to the House of Representatives for concurrence.

Mr. CORBIN submitted the Report of the Joint Committee of the Senate and House of Representatives appointed to inquire into and ascertain what disposition has been made of the Blue Ridge Railroad Bonds endorsed by the Comptroller General.

On motion of Mr. WHITTEMORE, the Report was ordered to be printed, and made the Special Order for Saturday, February 25, at 2 P. M.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Joint Resolution authorizing A. B. Taylor, Henry Arthur and others, to continue, for a term of two years, two gates erected by them across the old State Road in Lexington County.

The Resolution received its third reading, passed ;

Ordered, That it be enrolled for ratification.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill authorizing the Town Council of the town of Newberry to erect a market house on a lot of land belonging to the County of Newberry ;

A Bill to authorize the County Commissioners of Spartanburg, Greenville, Pickens and Oconee, and the authorities of certain towns therein, to provide means to meet interest on certain bonds ;

A Bill to enforce the payment of the poll tax ;

A Bill to authorize the formation of, and to incorporate, the Tugaloo and Chattanooga Railroad Company.

The above Bills received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, and ready for ratification,

An Act to renew and amend the charter of the town of Mt. Pleasant ;

An Act to require the State Treasurer to pay County Treasurers the apportionment of the State School Fund belonging to their respective Counties, and for other purposes ;

Joint Resolution to provide for the payment of mileage certificates of members of the State Board of Education.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the above Acts and Joint Resolution.

BILLS INTRODUCED.

Mr. DUVALL, pursuant to notice, introduced

A Bill to incorporate the Brewer Gold Mining Company.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Joint Resolution to provide for the publication of Volumes X, XI, XII, XIII and XIV of the Statutes of the State, and the Journals of the General Assembly, Special Session of 1868.

The Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to create a Sinking Fund for the payment of the principal of the public debt;

A Bill to repeal an Act entitled "An Act to authorize additional aid to the Blue Ridge Railroad Company, in South Carolina;"

A Bill to retire and cancel the hypothecated Blue Ridge Railroad Company's Bonds.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. BIEMAN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Bill to re-charter Maxwell's Ferry over Seneca River, in Oconee County;

Bill to incorporate the Waccamaw and Little River Canal Company.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr NASH, pursuant to notice, introduced

Bill to amend an Act entitled "An Act to regulate the fees of Sheriffs and other officers therein named, and for other purposes."

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. LESLIE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Bill to incorporate the Healing Springs Baptist Church in, Barnwell County.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

Joint Resolution to sell the lands purchased by the Land Commission, at public auction, to the highest bidder.

JOURNAL OF THE SENATE, RESOLUTIONS.

Mr. ARNIM introduced the following Preamble and Resolutions :

Whereas the Journal of the House of Representatives shows that a claim to the amount of ninety thousand five hundred and six dollars and twenty-one cents was passed by that body on the 22d instant, and ordered for payment; and whereas Section 22, Article I, of the Constitution, provides that no money shall be drawn from the Treasury, except in pursuance of an appropriation; and whereas the House of Representatives cannot claim the right to order said amount to be paid without the concurrence of the Senate; therefore, be it

Resolved, That the Senate protests against the payment of the said amount of ninety thousand, five hundred and six dollars and twenty-one cents, passed as a claim by the House of Representatives, and ordered to be paid out of the contingent fund.

Resolved, That the Treasurer is hereby directed not to pay the above amount until said claim has been properly passed by both Houses according to law.

On motion of Mr. ARNIM, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Ordered, That the Clerk of the Senate be directed to transmit a copy of the foregoing Resolution to the State Treasurer.

Mr. HAYES introduced the following Concurrent Resolution :

Resolved by the Senate, the House of Representatives concurring, That the State Librarian be, and he is hereby, authorized to purchase fifty copies of Ramsay's History of South Carolina, to be placed in the State Library.

Ordered for consideration to-morrow.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

On motion of Mr. BARBER, the Senate proceeded to the consideration, out of its order, of

Bill (House) declaring a tract of land consisting of one hundred acres, in the County of Fairfield, as escheated to the State, and to vest the title to the same in the Trustees of the Ridgeway Academy.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. JOHNSTON, the Senate proceeded to the consideration, out of its order, of

Report (favorable) of Committee on Incorporations on Bill to incorporate the Working Men's Mutual Benefit Life Assurance Association of the State.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. JOHNSTON moved to amend by the addition of the following Section :

"SEC. 5. That the said persons herein named, and their successors, be, and they are hereby, exempted from all the provisions of an Act entitled 'An Act to better protect holders of insurance policies in this State,' approved December 22, 1869."

After debate, participated in by Messrs Johnston, Whittemore,

On motion of Mr WHITTEMORE, the further consideration of the amendment of the Senator from Sumter was postponed, and made the Special Order for to-morrow, at 1 P. M.

On motion of Mr. ARNIM, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on Public Lands on Joint Resolution to sell the State lands of Darlington for \$4.38 per acre.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Pending debate, participated in by Messrs. Arnim, Whittemore,

Mr. FOSTER sent to the desk, to be read, testimony relative to lands purchased in Darlington County, taken by the Special Committee appointed to investigate the affairs of the Land Commission.

The PRESIDENT announced the hour arrived for the consideration of the

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day at 1 P. M., to wit :

Report of the Special Committee on Bill to establish a new Judicial and Election County from portions of Barnwell, Edgefield, Lexington and Orangeburg, to be known as Aiken County.

On motion of Mr. WHITTEMORE, the further consideration of the

Special Order was postponed until the disposal of the matter previously under consideration.

GENERAL ORDERS.

The Senate resumed the consideration of General Orders.

Joint Resolution to sell the State lands in Darlington for \$1.38 per acre.

On the question of agreeing to the Resolution, and ordering it to be engrossed for a third reading,

After further debate, participated in by Messrs Whittemore, Leslie, Corbin, Nash, Smalls, Rose,

Mr. ROSE moved that the Resolution be ordered to lie on the table.

On the question of agreeing to the motion of the Senator from York, Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Bieman, Duncan, Foster, Greene, Holcombe, Johnston, Nash, Owens, Rose, Smalls, Swails, Wilson.—13.

Nays—Messrs. Barber, Cardozo, Clinton, Dickson, Duvall, Hayes, Leslie, Montgomery, Whittemore.—9.

So the Joint Resolution was ordered to lie on the table.

SPECIAL ORDER.

The Senate resumed the consideration of the Special Order for this day, at 1 P. M., to wit:

Report of Special Committee on Bill to establish a new Judicial and Election County from portions of Barnwell, Edgefield, Lexington and Orangeburg, to be known as Aiken County.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. HAYES moved that the further consideration of the Bill be postponed, and made the Special Order for Tuesday, February 28, 1871, at 2 P. M.

Pending further debate, participated in by Messrs. Leslie, Hayes, Swails,

The PRESIDENT announced the hour arrived for the consideration of the

SPECIAL ORDER FOR 2 P. M.

The Senate proceeded to the consideration of the Special Order for this day, at 2 P. M., to wit:

Report of Committee on Roads, Bridges and Ferries on a Bill to provide for the construction and keeping in repair public highways and roads.

On motion of Mr. SWAILS, the further consideration of the Special Order was postponed until the disposal of the matter previously under consideration.

SPECIAL ORDER FOR 1 P. M.

The Senate resumed the consideration of

Bill to establish a new Judicial and Election County from portions of Barnwell, Edgefield, Lexington and Orangeburg, to be known as Aiken County.

On the question of agreeing to the motion of the Senator from York, that the further consideration of the Bill be postponed to Tuesday next, Mr. SWAILS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Hayes, Johnston, Nash, Owens, Rose.—5.

Nays—Messrs. Arnim, Bieman, Cardozo, Clinton, Corbin, Dickson, Duncan, Foster, Greene, Hayne, Holcombe, Leslie, Maxwell, Montgomery, McIntyre, Smalls, Swails, Whittemore, Wilson.—19.

So the Senate refused to postpone the consideration of the Bill to Tuesday next.

Mr. ROSE moved that the enacting clause of the Bill be stricken out.

After debate, participated in by Messrs Rose, Swails, Leslie,

Mr. SWAILS moved that the motion of the Senator from York be ordered to lie on the table.

On the question of agreeing to the motion of the Senator from Williamsburg,

Mr. JOHNSTON called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Bieman, Cardozo, Clinton, Corbin, Dickson, Duncan, Foster, Greene, Hayne, Holcombe, Leslie, Maxwell, Montgomery, McIntyre, Smalls, Swails, Whittemore, Wilson.—19.

Nays—Messrs. Hayes, Johnston, Nash, Owens, Rose.—5.

So the motion of the Senator from York, that the enacting clause of the Bill be stricken out, was ordered to lie on the table.

Mr. ARNIM moved that Section 2 be amended, in the first line, printed Bill, by striking out the name "Frank Arnim."

On motion of Mr. HAYNE, the motion of the Senator from Edgefield was ordered to lie on the table.

On motion of Mr. ROSE, the vote whereby the Senate passed Section 1 to a third reading was reconsidered.

Mr. ROSE moved that Section 1 be amended, in the fourth line, printed Bill, by striking out the word "Lexington."

Mr. HAYNE moved that the amendment of the Senator from York be ordered to lie on the table.

On the question of agreeing to the motion of the Senator from Marion, Mr. ROSE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs Arnim, Bieman, Cardozo, Clinton, Corbin, Duncan, Foster, Greene, Hayne, Holcombe, Leslie, Montgomery, McIntyre, Smalls, Wilson—15.

Nays—Messrs. Hayes, Johnston, Nash, Owens, Rose, Whittemore—6.

Mr. HAYES moved that Section 2 be amended by striking out the name "E. S. J. Hayes."

On the question of agreeing to the motion of the Senator from Lexington,

Mr. HAYES called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Bieman, Cardozo, Corbin, Dickson, Duncan, Foster, Hayes, Hayne, Holcombe, Leslie, Maxwell, McIntyre, Owens, Rose, Smalls, Whittemore, Wilson—17.

Mr. Arnim voted in the negative.

So the amendment of the Senator from Lexington was agreed to.

Mr. HAYNE moved to amend Section 2 by inserting after the name "J. A. Greene," the name "W. E. Rose."

On the question of agreeing to the motion of the Senator from Marion, Mr. JOHNSTON called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Dickson, Foster, Hayne, McIntyre, Smalls, Whittemore.—6.

Nays—Messrs. Allen, Arnim, Barber, Bieman, Cardozo, Clinton, Corbin, Duncan, Greene, Hayes, Holcombe, Johnston, Leslie, Nash, Owens, Rose, Wilson.—17.

So the Senate refused to agree to the amendment of the Senator from Marion.

Mr. ROSE moved that Section 2 of the Bill be stricken out.

Mr. HAYNE moved that the consideration of the motion of the Senator from York be indefinitely postponed.

On the question of agreeing to the motion of the Senator from Marion, Mr. JOHNSTON called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Barber, Bieman, Cardozo, Clinton, Corbin, Dickson, Duncan, Foster, Greene, Hayne, Holcombe, Leslie, McIntyre, Rose, Smalls, Wilson.—17.

Nays—Messrs. Allen, Hayes, Johnston, Nash, Owens.—5

So the consideration of the motion of the Senator from York was indefinitely postponed.

Pending the further consideration of the Bill,

RATIFICATION OF ACTS.

The Speaker of the House of Representatives attended in the Senate, when the following Acts and Joint Resolutions were duly ratified :

An Act to authorize Circuit Judges to hold Courts in other Circuits than their own ;

An Act to incorporate the Mechanics' Union, No. 1, of the City of Charleston, S. C.;

An Act to incorporate the town of Timmons ville ;

An Act to incorporate the Salamander Hook and Ladder Company, of Georgetown, S. C.;

An Act to charter the town of Hamburg ;

An Act to protect the rights of parents, and to prevent the procuring and carrying from the State persons under the age of twenty-one years

An Act to amend the charter of the Columbia Building and Loan Association ;

An Act to require the State Treasurer to pay County Treasurers the apportionment of the State School Fund belonging to their respective Counties, and for other purposes ;

An Act to incorporate the Saving, Building and Loan Association, of South Carolina ;

An Act to incorporate the Whipper Guards, of Christ Church Parish ;

An Act to incorporate the Champion Hook and Ladder Company, of Charleston ;

An Act to incorporate the Scott Rifle Guards, of Sumter ;

An Act to provide for the protection of persons, property and the public peace ;

An Act to supply the deficiency in the appropriation for the support and maintenance of free schools for 1870 ;

An Act to renew and amend the charter of the town of Mt. Pleasant ;

An Act to incorporate the Rock Hill Hook and Ladder Company ;

Joint Resolution authorizing the State Librarian to purchase certain Volumes of State Reports ;

Joint Resolution ordering that the Hon. James L. Orr, Judge of the Eighth Judicial Circuit, be allowed extra compensation for holding extra Courts ;

Joint Resolution to provide for the payment of the mileage certificates of members of the State Board of Education of the State of South Carolina ;

Joint Resolution directing that funds, known as Canby School Fund, remaining in hands of County Treasurers, be appropriated to the free school fund.

SPECIAL ORDER FOR 1 P. M.

The Senate resumed the consideration of

Bill to establish a new Judicial and Election County from portions of Barnwell, Edgefield, Lexington and Orangeburg, to be known as Aiken County.

Mr. McINTYRE moved to amend Section 2 by striking out all after the word "that," in line one, to the word "be," on line three, and inserting in lieu thereof the following: "the several Chairmen of the County Commissioners of Barnwell, Edgefield, Lexington and Orangeburg Counties."

Pending the consideration of the amendment of the Senator from Colleton,

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No. 52, from His Excellency the Governor, was presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Message related to Executive Business

SPECIAL ORDER FOR 1 P. M.

The Senate resumed the consideration of

Bill to establish a new Judicial and Election County from portions of Barnwell, Edgefield, Lexington and Orangeburg, to be known as Aiken County.

The question recurred upon agreeing to the amendment of Section 2 offered by the Senator from Colleton.

The amendment was withdrawn.

Mr. ROSE moved that the further consideration of the Bill be postponed, and made the Special Order for to-morrow at 1 P. M.

Mr. HAYNE moved that the consideration of the motion of the Senator from York be indefinitely postponed.

The motion of the Senator from Marion was withdrawn.

The question was taken upon agreeing to the motion of the Senator from York, that the further consideration of the Bill be postponed, and made the Special Order for to-morrow, at 1 P. M., and decided in the negative. †

On motion of Mr. LESLIE, Section 4 was amended in the second

line, printed Bill, by striking out the figure "4," and inserting in lieu thereof the figure "2."

On motion of Mr. HAYNE, Section 4 was further amended in the second line, printed Bill, by inserting between the words "four" and "the" the words "members of the General Assembly and."

The question was taken on agreeing to the recommendation of the Committee, that Section 5 be stricken out, and the following substituted, to wit: "That the elections held, as provided in the preceding Section, for Representatives, shall not affect the representation of the several Counties of the State as now established," and decided in the negative.

Mr. LESLIE moved to amend Section 6, in the first line, printed Bill, by striking out the word "third," and inserting in lieu thereof the word "second."

The question was taken on agreeing to the amendment of the Senator from Barnwell, and decided in the affirmative.

After debate, participated in by Messrs. Whittemore, Smalls, Leslie,

Mr. ARNIM moved that the vote whereby the Senate agreed to the amendment of the Senator from Barnwell to Section 6 be reconsidered.

Mr. SMALLS moved that the motion of the Senator from Edgefield be ordered to lie on the table.

On the question of agreeing to the motion of the Senator from Beaufort,

Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Leslie, McIntyre, Smalls, Swails —4.

Nays—Messrs. Arnim, Barber, Bieman, Cardozo, Corbin, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Maxwell, Nash, Owens, Rose, Whittemore, Wilson.—17.

So the Senate refused to lay on the table the motion to reconsider.

On motion of Mr. WHITTEMORE, Section 6 was amended, by striking out the word "second" and inserting in lieu thereof the word "third."

The question was taken on agreeing to the recommendation of the Committee to amend Section 7, by striking out "4," in the first line, and inserting "2," so that it will read "1872," and decided in the affirmative.

On motion of Mr. LESLIE, Section 7 was further amended, in the first line, printed Bill, by striking out the "first day of April," and inserting in lieu thereof the words "fourth day of October."

The question was taken on agreeing to the recommendation of the Committee, that Section 8 be stricken out, and decided in the affirmative.

On motion of Mr. LESLIE, the Bill was further amended by the addition of the following, as Section 8:

"SECTION 8. That the Board of Jury Commissioners of Barnwell,

Edgefield, Lexington and Orangeburg Counties be, and are hereby, required to prepare and furnish to the Board of Jury Commissioners of Aiken County, on or before the fourth Monday of October, 1871, separate lists of persons liable to serve as Jurors, and residing in the limits of the said Counties, as altered by this Act. From the lists so furnished to the Board of Jury Commissioners of Aiken County shall be drawn, in accordance with law, the Petit and Grand Jurors, and Talesman for the Courts to be holden in Aiken County, in conformity with the provisions of this Act; and the Jurors so drawn are declared lawful Jurors, to all purposes and intents."

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. SWAILS, the vote whereby the Senate ordered for consideration to-morrow the Report of the Committee on Claims on the Report of the House Committee on Claims on the claim of Woodward Allen and Raymond Owens was reconsidered.

The question was taken on agreeing to the Report, and decided in the affirmative.

Ordered, That it be returned to the House of Representatives.

On motion of Mr. WHITTEMORE, at 3:45 P. M., the Senate adjourned.

FRIDAY, FEBRUARY 24, 1871. •

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

On motion of Mr. WHITTEMORE, the reading of the Journal of yesterday was dispensed with.

Mr. LESLIE rose and spoke to a question of privilege.
The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Messages Nos. 53, 54, from His Excellency the Governor, were presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Messages related to Executive Business.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,

A Bill to incorporate the Columbia, Walterboro and Yemasee Railroad Company ;

A Bill to amend an Act entitled " An Act to organize and govern the militia of the State of South Carolina."

The above Bills received thir first reading, were ordered for a second eading and consideration to.morrow, and to be printed.

The House sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C , February 23, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that Messrs Dennis, Gardner and Hurley, have been appointed Committee, on the part of the House, to meet Committee, appointed on the part of your honorable body, to examine accounts of State Treasurer, Comptroller-General and Financial Agent.

Very respectfully,

F. J. MOSES, JR.,
Speaker of the House of Representatives.

The House also sent to the Senate

Concurrent Resolution instructing Joint Special Committees, appointed during the session, to report on Monday next.

The Resolution was concurred in, and ordered to be returned to the House of Representatives.

The House also sent to the Senate

A Bill to make appropriation and raise supplies for the year commencing November 1st, 1870.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

The House returned, with amendments,

A Bill to compel County Treasurers to receive County checks or warrants, in payment for County taxes, and other purposes.

The amendments were concurred in.

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled for ratification.

The House also returned, with amendments,

A Bill to charter the town of Yorkville.

The amendments were concurred in.

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled for ratification.

PETITIONS, &c.

The PRESIDENT laid before the Senate,

Return of the Commissioners of Election of Charleston County of the votes given for Senator for said County, on the 16th day of February, A. D. 1871; which was received as information, and ordered to lie on the table until the receipt of the Report of the Board of State Canvassers.

Mr. HAYNE presented extracts from presentment of Grand Jury of Marion County, for the February Term, 1871, of the Court of General Sessions for that County; which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Bill declaring a tract of land consisting of one hundred acres, in the County of Fairfield, as escheated to the State, and to vest the title to the same in the Trustees of Ridgeway Academy.

The Bill received its third reading, passed,

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled for ratification.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill to authorize the Clerks of the Courts of Common Pleas to take testimony in certain cases, reported back the same, with the recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported that the following Acts and Joint Resolutions, having been duly enrolled, sealed and ratified, were presented for approval to His Excellency the Governor, this day at 1:30 P. M.:

An Act to authorize Circuit Judges to hold Courts in other Circuits than their own;

An Act to incorporate the Mechanics' Union, No. 1, of the City of Charleston, S. C.;

An Act to incorporate the town of Timmons ville;

An Act to charter the town of Hamburg ;

An Act to incorporate the Saving, Building and Loan Association, of South Carolina ;

An Act to incorporate the Champion Hook and Ladder Company, of Chester ;

An Act to provide for the protection of persons, property and the public peace ;

An Act to supply the deficiency in the appropriation for the support and maintenance of free schools for 1870 ;

An Act to renew and amend the charter of the town of Mt. Pleasant ;

An Act to incorporate the Rock Hill Hook and Ladder Company.

Mr. DICKSON, from the Committee on Agriculture, to whom was referred a House Concurrent Resolution to print one thousand copies of the Report of the Commissioner of Agricultural Statistics, reported back the same, with a recommendation that the Senate concur.

Ordered for consideration to-morrow.

BILLS INTRODUCED.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to sell lands purchased by the Land Commissioner in this State at public auction.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. CORBIN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to renew the charter of the People's Bank of South Carolina ;

A Bill to renew and extend the charter of the Roman Catholic Church of St. Mary's, Charleston.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. HAYNE introduced the following Resolution :

Resolved by the Senate, the House of Representatives concurring, That the State Treasurer be authorized to pay Hon. Robert F. Graham, Judge of the First Circuit, for the fiscal year ending October 31, 1870.

On motion of Mr. HAYNE, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Ordered, That it be sent to the House of Representatives for concurrence.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

On motion of Mr CARDOZO, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on Finance on a Bill to amend an Act entitled "An Act to fix the salaries and regulate the pay of certain officers."

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading.

Mr. ARNIM moved that the enacting clause of the Bill be stricken out

After debate, participated in by Messrs. Cardozo, Hayne,

On the question of agreeing to the motion of the Senator from Edgefield,

Mr. HAYNE called for the yeas and nays

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Arnim, Barber, Dickson, Hayes, Hayne, Johnston, Nash, Owens, Rose, Smalls, Wimbush.—12

Nays—Messrs. Bieman, Cardozo, Clinton, Corbin, Duncan, Duvall, Foster, Greene, Holcombe, Leslie, Maxwell, Whittemore, Wilson.—13.

So the Senate refused to strike out the enacting clause of the Bill.

On motion of Mr. HAYNE, the further consideration of the Bill was postponed to the next regular session of the General Assembly.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Bill (House) to repeal an Act entitled "An Act to repeal the usury laws of this State."

The Bill was taken up for a second reading.

Mr. WHITTEMORE moved that the enacting clause of the Bill be stricken out.

On the question of agreeing to the motion of the Senator from Darlington,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Arnim, Barber, Bieman, Cardozo, Clinton, Corbin, Dickson, Duvall, Foster, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Smalls, Whittemore, Wimbush.—24.

Nays—Messrs. Duncan, Wilson.—2.

So the enacting clause of the Bill was stricken out, and a message sent to the House of Representatives accordingly.

On motion of Mr. LESLIE, the Senate proceeded to the consideration, out of its order, of

Bill to incorporate Healing Springs Baptist Church, in Barnwell County, South Carolina.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. CORBIN, the Senate proceeded to the consideration, out of its order, of

Report of Committee on the Judiciary on a Bill to regulate the jurisdiction of the Police Court of the city of Charleston.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Bill to create a sinking fund for the payment of the principal of the public debt of South Carolina.

The Bill was taken up for a second reading.

On motion of Mr. WHITTEMORE, the further consideration of the Bill was postponed, and made the Special Order for to-morrow, at 1:30 P. M.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day at 1 P. M., to wit :

Report of the Committee on Privileges and Elections on Bill to amend an Act entitled " An Act providing for the general election, and the manner of conducting the same."

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. HAYNE moved that the further consideration of the Bill be postponed to the next regular session of the General Assembly.

The motion of the Senator from Marion was not agreed to.

Mr. McINTYRE moved to amend Section 3 by striking out the word "three," and inserting in lieu thereof the word "two."

The amendment of the Senator from Colleton was subsequently withdrawn.

Mr. ARNIM moved to amend Section 4 by the addition of the following:

"That Section 8 of said Act be amended by the addition of the following: "the Sheriff of each County is hereby required to appoint as many Deputies as necessary at each poll, until the election is completed, and they shall prevent all interference with the Managers, and see that there is no interruption of good order "

Mr. ARNIM withdrew the amendment.

Mr. HAYNE renewed the amendment of the Senator from Edgefield.

The question was taken on agreeing to the amendment, and decided in the affirmative.

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Bill to amend an Act entitled "An Act to better protect holders of insurance policies in this State."

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. HAYNE, the Senate proceeded to the consideration, out of its order, of

Bill to amend an Act regulating the fees of Sheriffs and other officers therein named, and for other purposes.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. CORBIN, Section 1 was amended, in the second line, by striking out the word and figures "forty (40) " and inserting in lieu thereof the words and figures "thirty (30)."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. BARBER, the Senate proceeded to the consideration, out of its order, of

Bill to incorporate the Lebanon Presbyterian Church, of Fairfield County.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Bill relating to the fees of the State Land Commissioner.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

After debate, participated in by Messrs. Hayne, Whittemore, Nash, Maxwell,

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

SPECIAL ORDER.

The Senate proceeded to the consideration of the second Special Order for this day at 1 P. M., to wit:

Bill to incorporate the Workingmen's Mutual Benefit Life Assurance Association, of South Carolina.

The Bill having received its second reading,

The question recurred on agreeing to the amendment of the Senator from Sumter, by the addition of Section 5 to the Bill.

On motion of Mr. HAYNE, the further consideration of the amendment of the Senator from Sumter was indefinitely postponed.

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

GENERAL ORDERS:

The Senate resumed the consideration of the General Orders.

On motion of Mr. CORBIN, the Senate proceeded to the consideration, out of its order, of

Joint Resolution to authorize the State Treasurer to re-issue to W. B. Pringle, Executor of Mrs. Bertha Skirving, certificate of State stock.

The Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That the Resolution be engrossed for a third reading.

On motion of Mr. LESLIE, the Senate proceeded to the consideration of

Bill to provide for the appointment of a Supervisor of State House and Grounds.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. LESLIE moved to amend Section 1, in line one, by striking out the words "Secretary of State," and inserting in lieu thereof, the words "J. E. Green, Sergeant-at-arms of the Senate."

On motion of Mr. LESLIE, the further consideration of the Bill was postponed for the present.

On motion of Mr. CORBIN, the Senate proceeded to the consideration, out of their order, of

Joint Resolution, (by Committee on Finance,) authorizing the State Treasurer to re-issue a certificate of State Stock to R. B. Mills;

Joint Resolution, (by Committee on Finance,) authorizing the State Treasurer to re-issue certain certificates of State Stock to M. E. Carrere, M. D., and W. M. Wilson;

Joint Resolution (by the Committee on Finance) authorizing the State Treasurer to re-issue a certain certificate of State Stocks to R. L. North, Executor of Elizabeth E. North, deceased.

The above Joint Resolutions received their second reading, and were considered as in Committee of the Whole.

There being no amendments,

Ordered, That the Resolutions be engrossed for a third reading.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day at 2 P. M., to wit:

Report of Committee on Roads, Bridges and Ferries on a Bill to provide for the construction and keeping in repair public highways and roads.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. CORBIN moved to amend Section 1, in the fourth line, printed Bill, by striking out before the word "districts" the word and figure "three (3)," and inserting in lieu thereof the word "suitable;" also, by inserting after the word "districts" the words "not exceeding six miles square"

On motion of Mr. WHITTEMORE, the Bill was referred to the Committee on the Judiciary.

SPECIAL ORDER FOR 1:30 P. M.

The Senate proceeded to the consideration of the Special Order for this day, at 1:30 P. M., to wit:

Report of Committee on Education on Bill to incorporate the Claflin University and State Agricultural College.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. CORBIN moved that the Senate take up for consideration, in connection with the Special Order,

Bill to provide for the establishment of an Agricultural College.

The motion of the Senator from Charleston was not agreed to.

On the question of agreeing to Section 1 of the Bill to incorporate the Claflin University, and State Agricultural College,

Mr. HAYNE moved to amend by inserting the names of "D. T. Corbin, Joel Foster, C. P. Leslie, John Wilson "

Pending debate, participated in by Messrs. Corbin, Whittemore, Nash, Mr. ARNIM moved that the Senate adjourn.

On the question of agreeing to the motion of the Senator from Edgefield,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Bieman, Corbin, Foster, Holcombe, Montgomery.—6.

Nays—Messrs. Cardozo, Clinton, Duncan, Duvall, Greene, Hayne, Johnston, Leslie, Maxwell, Nash, Swails, Whittemore, Wilson.—13.

So the Senate refused to adjourn.

EXECUTIVE SESSION.

At 3:10 P. M., on motion of Mr. HAYNE, the Senate went into Executive Session.

After the disposal of Executive Business, the Senate returned to open session.

On motion of Mr. HAYNE, at 3:35 P. M., the Senate adjourned.

SATURDAY, FEBRUARY 25, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by Rev. Mr. Harris

On motion of Mr. SWAILS, the reading of the Journal of yesterday was dispensed with.

JOURNAL OF THE SENATE,
ADDITIONAL SENATORS.

Mr. SWAILS presented the credentials of Hon. J. F. Beckman, Senator elected to fill the vacancy in the Senate, occasioned by the resignation of Hon. Joseph H. Rainey, of Georgetown County.

The credentials were read, the oath prescribed by law administered to Mr. Beckman, and he took his seat in the Senate.

Mr. BIEMAN presented the credentials of Hon. Jeremiah Hollingshead, Senator elected to fill the vacancy in the Senate, occasioned by the death of the Hon. H. J. Lomax, of Abbeville County.

The credentials were read, the oath prescribed by law administered to Mr. Hollingshead, and he took his seat in the Senate.

Mr. CORBIN presented the credentials of Hon. Samuel E. Gaillard, Senator elected to fill the vacancy in the Senate, occasioned by the death of Hon. Wm. H. Mishaw, of Charleston County.

Mr. CORBIN also presented a communication from Hon. R. H. Cain, protesting against the admission of Hon. Samuel E. Gaillard to a seat in the Senate, as Senator from Charleston County.

Mr. ARNIM moved that the credentials and protest be referred to the Committee on Privileges and Elections.

On motion of Mr. CORBIN, the motion of the Senator from Edgefield was divided, and the questions taken separately on the reference of the credentials and protest.

After debate, participated in by Messrs. Corbin, Hayne, Whittemore, Leslie, Arnim,

On the question of reference of the protest to the Committee on Privileges and Elections,

Mr. ARNIM called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Arnim, Barber, Bieman, Burroughs, Beckman, Cardozo, Clinton, Corbin, Dickson, Duncan, Duvall, Foster, Greene, Hayes, Hayne, Holcombe, Hollingshead, Johnston, Leslie, Maxwell, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson, Wimbush.
—27.

Mr. McIntyre voted in the negative.

So the protest was referred to the Committee on Privileges and Elections.

On the question of referring the credentials to the Committee on Privileges and Elections,

Mr. HAYNE moved that the motion of the Senator from Edgefield, to refer the credentials to the Committee on Privileges and Elections, be laid on the table.

On the question of agreeing to the motion of the Senator from Marion, Mr. SWAILS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Barber, Cardozo, Clinton, Corbin, Dickson, Duncan, Duvall; Foster, Greene, Hayes, Hayne, Holcombe, Leslie, Maxwell, McIntyre, Nash, Owens, Smalls, Whittemore, Wilson.—21.

Nays—Messrs. Arnim, Bieman, Burroughs, Johnston, Rose, Swails, Wimbush.—7.

So the Senate refused to refer the credentials to the Committee on Privileges and Elections.

Mr. Gaillard then appeared at the President's desk, the oath prescribed by law was administered to him, and he took his seat in the Senate.

COMMUNICATIONS.

The PRESIDENT laid before the Senate the following communication:

COLUMBIA, S. C., February 24, 1871.

To the Honorable the Senate of the State of South Carolina :

MR. PRESIDENT AND GENTLEMEN :—The Special Committee on the Randolph Monument most respectfully invite the Senate to take part in the ceremonies of the erection of a monument over the remains of the late Hon. B. F. Randolph, in this city, on Monday, the 27th instant, west of the Elmwood Cemetery, Boundary Street, at 10 o'clock A. M.

Respectfully,

A. J. RANSIER,
Chairman.

On motion of Mr. SWAILS, the invitation was accepted.

Mr. SWAILS moved that when the Senate adjourn, it shall stand adjourned to meet on Monday next, at 5 P. M.

On the question of agreeing to the motion of the Senator from Williamsburg,

Mr. ARNIM called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Arnim, Barber, Bieman, Cardozo, Clinton, Dickson, Foster, Greene, Holcombe Johnston, McIntyre, Nash, Rose, Smalls, Swails, Wilson.—16.

Nays—Messrs. Corbin, Duvall.—2.

So the motion of the Senator from Williamsburg was agreed to.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No. 55 from His Excellency the Governor, was presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Message related to Executive Business.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

Bill to facilitate the punishment of crime ;

Bill to authorize County Commissioners of Spartanburg, Pickens, Oconee and Greenville, and the authorities of certain Towns in those Counties, to provide means to meet interest on certain bonds.

The above Bills received their first reading, were ordered for a second reading and consideration on Monday next, and to be printed.

The House also sent to the Senate,

Joint Resolution directing State Treasurer to refund to Messrs. Risley & Creighton, six hundred and three dollars and seventy-eight cents, taxes over paid by them.

The Joint Resolution received its first reading, was ordered for a second reading and consideration on Monday next, and to be printed.

The House also sent to the Senate,

Bill declaring the right of way across the Charleston and Savannah Railroad ;

Bill to charter the Yemasee and Millen Railroad Company in the State of South Carolina.

The above Bills received their first reading, were ordered for a second reading and consideration on Monday, and to be printed.

The House returned, with amendments,

Bill to amend an Act entitled "An Act to establish and maintain a system of Free Common Schools, for the State of South Carolina."

On motion of Mr. HAYNE, the amendments were concurred in.

Ordered, That the title of the Bill be changed to that of an Act, and that it be enrolled for ratification.

REPORTS OF COMMITTEES.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification :

An Act to renew and amend the charter of the town of Bamberg, in the State of South Carolina ;

An Act to compel County Treasurers to receive County checks or warrants in payment for County taxes, and for other purposes ;

An Act to alter and amend an Act entitled "An Act to alter and amend the charter and extend the limits of the city of Columbia ;"

An Act to permit William L. Wood to adopt Napoleon B. Smith, to

make him his lawful heir, and to change the name of the said Napoleon B. Smith to that of Napoleon B. Wood;

Joint Resolution authorizing A. R. Taylor, Henry Arthur, and others, to continue for a term of two years two gates erected by them across the Old State Road, in Lexington County, at the beginning and terminus of their planting lands;

Joint Resolution to appoint Trustees for the De La Howe Free School, Abbeville County.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the above Acts and Joint Resolutions.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed and ready for a third reading,

A Bill to incorporate the Lebanon Presbyterian Church, of Fairfield County.

The Bill received its third reading, passed,

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled for ratification.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to regulate the manner of drawing juries;

A Bill to establish a new Judicial and Election County from portions of the Counties of Barnwell, Edgefield, Lexington and Orangeburg, to be known as Aiken County.

The above Bills received their third reading, passed, and were returned to the House of Representatives for concurrence in amendments.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading:

A Bill to incorporate the Healing Springs Baptist Church, in Barnwell County, S. C

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Mr. ROSE, from the Committee on Public Buildings, to whom was referred a Bill to provide for the appointment of a Supervisor of the State House and Grounds, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration on Monday next.

Mr. CARDOZO, from the Special Joint Committee appointed to inquire into the propriety and expediency of contracting with the Southern Gas Light Company, for lighting the State House and public offices thereof, submitted the Report of that Committee, accompanied by the following:

Joint Resolution authorizing the Secretary of State to contract with

the Southern Domestic Gas Company for the illumination of the State House and public offices therein.

The Joint Resolution received its first reading, was ordered for a second reading and consideration on Monday next, and to be printed.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred, a Bill to abolish the Sixth Circuit, and re-organize certain other Circuits therein named, reported back the same, with a recommendation that the Bill do pass, amended as follows :

That lines three, four and five of Section 1 of the printed Bill be so amended as to read as follows :

“The County of Chester is added to the Fifth Circuit; the County of Lancaster is added to the Fourth Circuit; and the Counties of Union and York are added to the Seventh Circuit.”

That lines two, three, four and five of Section 4 of the printed Bill be so amended as to read as follows :

“Hereby amended by striking out the third, fourth and fifth subdivisions thereof, and substituting the following in lieu of the same :”

That all from lines six to thirteenth inclusive, be stricken out, and the following substituted :

“3. The Court of General Sessions at Darlington, for the County of Darlington, on the first Monday of February, June and September; and the Court of Common Pleas at Darlington, for the County of Darlington, on the first Wednesday after the first Monday of February, June and September.

“4. The Court of General Sessions at Winnsboro, for the County of Fairfield, on the third Monday of February, June and October; and the Court of Common Pleas at Winnsboro, for the County of Fairfield, on the first Wednesday after the third Monday of February, June and October.

“5. The Court of General Sessions at Lancaster, for the County of Lancaster, on the second Monday of March, July and November; and the Court of Common Pleas at Lancaster, for the County of Lancaster, on the first Wednesday after the second Monday of March, July and November.”

That wherever the word “Lancaster” appears in lines three and five of Section 5 of the printed Bill, the same shall be stricken out and the word “Chester” inserted in lieu thereof.

That all after the word “amended,” in line two of Section 6, be stricken out, and the words “as follows:” inserted in lieu thereof; and, also, that lines three to six, inclusive, in said sixth Section, be stricken out, and the following inserted in lieu thereof:

“Sub-divisions one, two and three of said twenty-fourth Section are hereby stricken out, and the following substituted :

“1. The Court of General Sessions at Newberry, for the County of Newberry, on the first Monday of January, May and September, and the Court of Common Pleas at Newberry, for the County of Newberry, on the first Wednesday after the first Monday of January, May and September.

“2. The Court of General Sessions at Laurensville, for the County of Laurens, on the fourth Monday of January, May and September; and the Court of Common Pleas at Laurensville, for the County of Laurens, on the first Wednesday after the fourth Monday of January, May and September.

“3. The Court of General Sessions at Spartanburg, for the County of Spartanburg, on the third Monday after the fourth Monday of January, May and September; and the Court of Common Pleas at Spartanburg, for the County of Spartanburg, on the first Wednesday after the third Monday after the fourth Monday of January, May and September.

“4. The Court of General Sessions at Union, for the County of Union, on the first Monday of March, July and November; and the Court of Common Pleas at Union, for the County of Union, on the first Wednesday after the first Monday of March, July and November.

“5. The Court of General Sessions at York, for the County of York, on the third Monday of March, July and November; and the Court of Common Pleas at York, for the County of York, on the first Wednesday after the third Monday of March, July and November.”

Ordered for consideration on Monday next, and to be printed.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred, a Bill to provide for the construction and repairs of public highways, reported back the same, accompanied by a substitute and a recommendation that all after the enacting clause of the Bill be stricken out, and the substitute reported by the Committee inserted in lieu thereof.

On motion of Mr. HAYNE, the Rule was suspended, and the Report considered immediately.

The Bill and substitute were taken up for a second reading.

The Bill and substitute received their second reading, were considered as in Committee of the Whole, and by Sections.

On motion of Mr. SMALLS, Section 2 was amended, in the third line, printed Bill, by inserting after the word “cents” the words “if so much be necessary.”

Mr. ARNIM moved to amend Section 2, in the third line, printed Bill, by striking out the words “on every hundred dollars,” and inserting in lieu thereof the words “on every poll tax.”

The amendment of the Senator from Edgefield was not seconded.

On motion of Mr. WHITTEMORE, Section 5 was amended, in the third and fourth lines, by striking out the words “September and No-

vember," and inserting in lieu thereof the words "August and October."

On motion of SMALLS, Section 7 was amended, in the 7th line, printed Bill by striking out the word "ten," and inserting in lieu thereof the words "twenty-five."

On motion of Mr. BURROUHS, Section 17 was amended, in the second line, printed Bill, by striking out before the word "days," the words "at least three," and inserting in lieu thereof the words "not less than three, and not more than ten."

On motion of Mr. WHITTEMORE, Section 17 was further amended by the addition of the following: "And should any person refuse either to work upon the highways and roads, or to pay the fine imposed as a penalty for refusing to work upon the highways and roads, according to the directions of said Commissioners, the said persons shall be deemed guilty of a misdemeanor, and on conviction thereof, punished by imprisonment in the County jail for the same for a term not exceeding thirty days."

On motion of Mr. CORBIN, Section 18 was amended by the addition of the words "and in no event not more than seventy-five dollars."

On motion of Mr. CORBIN, the Bill was further amended by the addition of the following:

"SECTION 19. The County Commissioners shall, for the year 1871, levy no tax, under this Act, but that provided for in Section 17, but shall set apart a portion of the tax heretofore authorized to be raised for County purposes, and have the same laid out and expended under the provisions of this Act."

On motion of Mr. SMALLS, the Bill was further amended by the addition of the following:

"SECTION 20. That all Acts, or parts of Acts, inconsistent with the provisions of this Act, are hereby repealed."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

UNFINISHED BUSINESS.

The Senate proceeded to the consideration of Unfinished Business for this day, to wit:

Bill to provide for the establishment of an Agricultural College;

Bill to incorporate the Claflin University, and the State Agricultural College of South Carolina.

On motion of Mr. HAYNE, the consideration of the Unfinished Business was suspended for the present.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

On motion of Mr. HAYNE, the Senate proceeded to the consideration, out of its order, of

Bill (House) to make appropriation and raise supplies for year commencing November 1, 1870.

The Bill was taken up for a second reading.

Mr. ARNIM moved that the Bill be read by its title, and referred to the Committee on Finance.

Mr. HAYNE moved that the further consideration of the motion of the Senator from Edgefield be indefinitely postponed.

After debate, participated in by Messrs. Hayne, Arnim, Swails, Corbin, Leslie, Smalls, Whittemore,

The motion of the Senator from Marion was withdrawn.

On the question of agreeing to the motion of the Senator from Edgefield,

Mr. JOHNSTON called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Arnim, Barber, Bieman, Beckman, Duncan, Duvall, Foster, Greene, Hayes, Holcombe, Leslie, Owens, Rose, Swails, Wilson.—16.

Nays—Messrs. Burroughs, Cardozo, Clinton, Corbin, Dickson, Hayne, Johnston, Montgomery, Nash, Smalls, Whittemore.—11.

¶ [So the Bill was read by its title, and referred to the Committee on Finance.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 2. P. M., to wit:

Report of Joint Committee of the Senate and House of Representatives, appointed to inquire into and ascertain what disposition has been made of the Blue Ridge Railroad bonds endorsed by the Comptroller-General.

The Report was read.

On motion of Mr. WHITTEMORE, the Report was received as information, and the Senate proceeded to the consideration, out of its order, of

Bill to repeal an Act entitled "An Act to authorize additional aid to the Blue Ridge Railroad Company, in South Carolina"

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. WHITTEMORE, the preamble of the Bill was amended in the second line, by striking out the words "bonds known as," and inserting in lieu thereof "contracts of;" also, in the third line by striking out the word "bonds," and apostrophe and letter "'s" to the word "company's"

On motion of Mr. CORBIN, Section 1 was stricken out, and the following inserted in lieu thereof:

"SECTION 1. That the endorsement heretofore made by the Comptroller General, upon the contracts or bonds of the Blue Ridge Railroad Company, under the Act of September 15, 1868, be, and the same is hereby, withdrawn, and the bonds or contracts so endorsed ordered to be retired and cancelled. That to recover the bonds of said Company now pledged in the city of New York, the sum of four hundred thousand dollars, if so much be necessary, be and the same is hereby appropriated, and the State Treasurer is authorized and required to redeem and cancel said bonds."

There being no further amendments,

On the question of ordering the Bill to be engrossed for a third reading,

Mr. ARNIM moved that the Bill be referred to the Committee on Finance.

On the question of agreeing to the motion of the Senator from Edgefield.

Mr. ARNIM called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Bieman, Hollingshead, McIntyre, Rose—5.

Nays—Messrs. Burroughs, Beckman, Clinton, Corbin, Duncan, Duvall, Greene, Gaillard, Holcombe, Leslie, Montgomery, Owens, Whittemore—13.

So the Senate refused to refer the Bill to the Committee on Finance.

The question was then taken on ordering the Bill to be engrossed for a third reading, and decided in the affirmative.

Mr. ARNIM gave notice that on the third reading of the above Bill he would move to make sundry amendments.

Mr. WHITTEMORE gave notice that on a third reading he would offer certain amendments.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Bill to retire and cancel the hypothecated Blue Ridge Roadroad Company Bonds.

The Bill was taken up for a second reading.

On motion of Mr. WHITTEMORE, the enacting clause of the Bill was stricken out.

On motion of Mr. NASH, the Senate proceeded to the consideration, out of its order, of

Bill (House) to incorporate the South Carolina Capital Building and Loan Association of Columbia.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. McINTYRE moved that Section 1 be amended by striking out the name of "James A. Dunbar."

The amendment of the Senator from Colleton was not agreed to.

On motion of Mr. CORBIN, Section 6 was amended by the addition of the following proviso:

"Provided, That said corporation shall have all the rights, and be subject to all the liabilities provided in the Act to regulate the formation of corporations, passed December 10, 1870."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. McINTYRE, the Senate proceeded to the consideration, out of its order, of

Bill to renew the charter of the Ferry known as Ashepoo Ferry.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

EXECUTIVE SESSION.

At 3:25 P. M., on motion of Mr. SMALLS, the Senate went into Executive Session.

After the disposal of Executive business, the Senate returned to open session.

On motion of Mr. SWAILS, at 3:40 P. M., the Senate adjourned.

JOURNAL OF THE SENATE,

MONDAY, FEBRUARY 27, 1871.

Pursuant to adjournment the Senate assembled at 5 P. M.

On motion of Mr. ARNIM, Hon. W E. HOLCOMBE took the Chair.

The roll was called, and, a quorum not answering to their names, Mr. ARNIM moved that the Senate adjourn.

On the question of agreeing to the motion of the Senator from Edgefield,

Mr. CORBLIN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Arnim, Barber, Bieman, Burroughs, Beckman, Holcombe, Hollingshead, Wimbush—9.

Nays—Messrs. Corbin, Duvall, Whittemore—3.

So the Senate, at 5 15 P. M., adjourned.

TUESDAY, FEBRUARY 28, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon A J. RANSIER.

Prayer by the Chaplain.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. ARNIM, the reading of the Journal of Saturday and yesterday, was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

Concurrent Resolution to rescind Resolution to adjourn Wednesday, March 1, 1871, and to extend the time of adjournment of the General Assembly, to Tuesday, March 7, 1871.

Mr. SWAILS moved that the Senate concur.

Mr. HAYNE moved that the further consideration of the motion of the Senator from Williamsburg be indefinitely postponed.

After debate, participated in by Messrs. Whittemore, Leslie,

Mr. SWAILS moved that the motion of the Senator from Marion be laid on the table.

On the question of agreeing to the motion of the Senator from Williamsburg,

Mr. DUVALL called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Barber, Beckman, Leslie, Maxwell, Nash, Swails, Whittemore, Wimbush.—8.

Nays—Messrs. Arnim, Bieman, Burroughs, Clinton, Dickson, Duncan, Duvall, Foster, Gaillard, Greene, Hayes, Hayne, Holcombe, Hollinshead, Johnston, McIntyre, Owens, Rose, Smalls, Wilson.—20.

So the Senate refused to lay on the table the motion to indefinitely postpone the motion to concur.

The question recurred upon agreeing to the motion of the Senator from Marion, that the further consideration of the motion to concur be indefinitely postponed.

On the question of agreeing to the motion to indefinitely postpone the consideration of the motion to concur in House Resolution,

Mr. BIEMAN called for the yeas and nays.

Pending debate, participated in by Messrs Leslie, Whittemore, Hayne, Smalls, Maxwell, Nash,

The PRESIDENT announced the hour arrived for the consideration of the

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M., to-wit:

Bill authorizing the County Treasurers to take charge of the lands purchased by the Land Commissioners of the State of South Carolina.

On motion of Mr. WHITTEMORE, the further consideration of the above Bill was postponed to the next regular session of the General Assembly.

The Senate proceeded to the consideration of the second Special Order for this day, at 1 P. M., to wit:

Bill to create a sinking fund for the payment of the principal of the public debt of South Carolina.

On motion of Mr. SWAILS, the further consideration of the second Special Order was postponed until the disposal of the matter previously under consideration.

The Senate resumed the consideration of

House Concurrent Resolution to rescind Resolution to adjourn Wednesday, March 1, 1871, and to extend the time of adjournment to March 7, 1871.

The question recurred upon agreeing to the motion of the Senator from

Marion to indefinitely postpone the motion of the Senator from Williamsburg, that the Senate concur.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Bieman, Burroughs, Clinton, Dickson, Greene, Hayne, Johnston, McIntyre, Owens, Rose, Smalls—11.

Nays—Messrs. Allen, Arnim, Barber, Beckman, Cardozo, Duncan, Duvall, Foster, Gaillard, Hayes, Holcombe, Hollinshead, Leslie, Maxwell, Montgomery, Nash, Swails, Whittemore, Wilson, Wimbush—20.

So the Senate refused to indefinitely postpone the motion to concur.

On the question of agreeing to the motion of the Senator from Williamsburg, that the Senate concur,

Mr HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Arnim, Barber, Beckman, Cardozo, Duncan, Gaillard, Hayes, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittemore, Wimbush—17.

Nays—Messrs. Bieman, Burroughs, Clinton, Dickson, Duvall, Foster, Greene, Hayne, Holcombe, Hollinshead, Johnston, McIntyre, Smalls, Wilson—14.

So the Resolution was concurred in, and ordered to be returned to the House of Representatives.

Mr. WHITTEMORE moved that the vote whereby the Senate concurred in the House Resolution to rescind the Resolution fixing the time of adjournment for Wednesday, March 1, 1871, and to extend the time to Tuesday, March 7, 1871, be reconsidered, and the motion for reconsideration ordered to lie on the table.

On the question of agreeing to the motion of the Senator from Darlington,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Arnim, Barber, Bieman, Burroughs, Beckman, Cardozo, Duncan, Duvall, Foster, Gaillard, Greene, Hayes, Hayne, Holcombe, Hollinshead, Johnston, Maxwell, Montgomery, Nash, Rose, Smalls, Whittemore, Wilson, Wimbush.—24.

Nays—Messrs. Allen, Dickson, Leslie, McIntyre, Owens—5

So the motion to reconsider was agreed to, and the motion for reconsideration ordered to lie on the table.

The House also sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., February 27, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable

body that they respectfully refuse to concur in amendments of your honorable body to Sections 4, 21, 27 and 35, and the striking out of Section 37, of a Bill to regulate the manner of drawing juries. The Bill is respectfully returned herewith.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker House of Representatives.

On motion of Mr. ARNIM, Senate insisted on its amendments, and a message sent to the House of Representatives requesting a Committee of Conference.

Messrs. Arnim, Leslie and Whittemore were appointed Committee on the part of the Senate.

The House returned to the Senate, with amendments,

Bill to require the County Commissioners to report to the General Assembly.

On motion of Mr. WHITTEMORE, the amendments were concurred in.

Ordered, That the title of the Bill be changed to that of an Act, and that it be enrolled for ratification.

The House also sent to the Senate,

Bill authorizing and empowering James C. Rundlett to establish a wharf in the town of Beaufort;

Bill to fund the *nulla bona* claims of Sheriffs and Ex-Tax Collectors;

Bill to grant, renew and amend the charters of certain towns and villages therein mentioned.

The above Bills received their first reading, were ordered for a second reading and consideration to morrow, and to be printed.

The House also sent to the Senate,

Bill relating to the Greenville and Columbia Railroad Company.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE rose to a question of information on the passage, in due form, of the above Bill, by the House of Representatives, in conformity with the provisions of the Constitution requiring a two-thirds vote of the members of the General Assembly.

The PRESIDENT declined giving any decision. In his opinion, the Constitutional two-thirds vote required a vote of two-thirds of all of the members of the General Assembly elected according to the apportionment of representation.

Mr. WHITTEMORE moved that a Special Committee of three be appointed by the President to consult with the Attorney-General, as to

what constitutes a two-third vote of either branch, as required by the Constitution.

After debate, participated in by Messrs. Leslie, Whittemore, Allen, Nash, Arnim,

The motion of the Senator from Darlington was withdrawn

The House returned, with concurrence,

Report of Senate Committee on account of Butler Spears.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No 56, from His Excellency the Governor, was presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Message related to Executive Business.

REPORTS OF COMMITTEES.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification,

An Act to charter the town of Yorkville ;

An Act to vest in the Charleston Land Company the charter of a ferry from Hamlin's wharf, in the city of Charleston, to the following points on the Wando River, to-wit: Scanlonville, Remley's Point, Venning's Landing, and Daniel's Island Landing ;

An Act to amend an Act entitled " An Act to authorize the Commissioners of Public Buildings, for Williamsburg District, to sell certain portions of the public grounds," passed the twenty-second day of December, A. D. 1859 ;

An Act to authorize Sylvanus Mayo to build a wharf in the town of Beaufort ;

Joint Resolution to provide for the publication of the decisions of the Supreme Court during the years 1868, 1869 and 1870 ;

Joint Resolution authorizing the State Treasurer to re-issue to John Phillips, Executor of John Campbell, deceased, certain certificates of State stock.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the above Acts and Joint Resolutions.

Mr. LESLIE, from the Committee on Contingent Accounts and Expenses, to whom was referred sundry accounts against the Senate, reported back the same, with a recommendation that the accounts be paid.

On motion of Mr. LESLIE, the Rule was suspended and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

RATIFICATION OF ACTS.

The Speaker of the House of Representatives attended in the Senate, when the following Acts and Joint Resolutions were duly ratified:

An Act to authorize Sylvanus Mayo to build a wharf in the town of Beaufort ;

An Act to amend an Act entitled "An Act to authorize the Commissioners of Public Buildings for Williamsburg District, to sell certain portions of the public grounds," passed the 22d day of December, 1859 ;

An Act to vest in the Charleston Land Company the charter of a Ferry from Hamlin's wharf, in the City of Charleston, to the following points on the Wando River, to wit: Scanlonville, Remley's Point, Venning's Landing, and Daniel's Island Landing ;

An Act to charter the town of Yorkville ;

An Act to compel County Commissioners to receive County checks or warrants, in payment for County taxes, and other purposes ;

An Act to permit William L. Wood to adopt Napoleon B. Smith, to make him his lawful heir, and to change the name of the said Napoleon B. Smith to that of Napoleon B. Wood ;

An Act to alter and amend an Act entitled "An Act to alter and amend the charter, and extend the limits of the City of Columbia ;"

An Act to renew and amend the charter of the town of Bamberg, in the State of South Carolina ;

Joint Resolution to provide for the publication of the decisions of the Supreme Court, during the years 1868, 1869 and 1870 ;

Joint Resolution authorizing the State Treasurer to re-issue to John Phillips, Executor of John Campbell, deceased, certain certificates of State stock ;

Joint Resolution to appoint Trustees for the De La Howe Free School, of Abbeville County ;

Joint Resolution authorizing A. R. Taylor, Henry Arthur and others, to continue, for a term of two years, two gates erected by them across the old State Road, in Lexington County, at the beginning and terminus of their planting lands.

REPORTS OF COMMITTEES.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported that the following Acts, having been duly enrolled, sealed and ratified, were presented for approval to His Excellency the Governor, at 3:05 P. M., this day :

An Act to charter the town of Yorkville ;

An Act to vest in the Charleston Land Company the charter of Ferry from Hamlin's wharf, in the City of Charleston, to the following points on the Wando River, to wit : Scanlonville, Remley's Point, Venning's Landing, and Daniel's Island Landing ;

An Act to amend an Act entitled "An Act to authorize the Commissioners of Public Buildings for Williamsburg District, to sell certain portions of the Public Grounds," passed the twenty-second day of December, A. D. 1859 ;

An Act to authorize Sylvanus Mayo to build a wharf in the town of Beaufort.

Mr. HAYNE, from the Committee on Enrolled Acts, reported the following Acts as duly enrolled, sealed, and ready for ratification :

An Act declaring a tract of land consisting of one hundred acres, in the County of Fairfield, as escheated to the State, and to vest the title to the same in the Trustees of the Ridgeway Academy ;

An Act to incorporate the Lebanon Presbyterian Church, of Fairfield.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senatè to assist in the ratification of the above Acts.

Mr. GREENE, from the Committee on Finance, to whom was referred a Bill to make appropriation and raise supplies for the fiscal year, commencing November 1, 1870, reported back the same, with a recommendation that the Bill do pass, with the following amendments, to wit :

In Section 1, on line seven, after the word "dollars," strike out the words "for the Assistant Adjutant and Inspector-General, one thousand five hundred dollars ;" on line fourteen, between the words "thousand" and "dollars," insert the words "five hundred ;" on line nineteen, after the word "dollars," strike out the words "for the eight Circuit Solicitors, eight thousand dollars ;" on line twenty-eight, after the word "dollars," strike out the words "for additional clerical service, five hundred dollars."

In Section 2, on line one, strike out the words "twenty-five," and insert in lieu thereof the word "fifteen ;" on line four, strike out the word "four," and insert in lieu thereof the word "two ;" also, on the same line, strike out the word "three," and in the place thereof insert the word "one ;" on line six, strike out the words "one thousand," and in the place thereof insert the words "five hundred ;" on line seven, strike out the words "one thousand," and in the place thereof insert the words "five hundred ;" on line eight, strike out the words "one thousand," and in the place thereof insert "five hundred ;" on line nine, strike out the words "one thousand," and insert in the place thereof the words "five hundred ;" on line ten, strike out the words "one thousand," and insert in

the place thereof the words "five hundred;" on line eleven, strike out the words "one thousand," and insert in the place thereof the words "five hundred;" also, on line eleven, strike out the words "for the contingent fund of the State Constable, five hundred dollars;" on line twelve, after the word "Librarian," strike out the word "three," and insert in lieu thereof the word "one."

In 3d Section, first line, strike out the word "four," and in lieu thereof insert the word "one," in fourth line; strike out the words "one thousand," and in lieu thereof insert the words "five hundred."

In 4th Section, tenth line, after the word "dollars," strike out the remaining part of the Section, and in lieu thereof insert the following: "For current printing of the General Assembly, thirty thousand dollars, if so much be necessary, to be paid on the order of the Clerks of both Houses. For payment of claims passed by the General Assembly, fifty thousand dollars, if so much be necessary, to be paid in the usual manner."

In Section 5, second line, after the word "penitentiary," strike out the word "eighty," and in lieu thereof insert the word "sixty."

On line three, Section 5, strike out the word "five," and, in lieu thereof, insert the word "one"

In Section 6, line four, strike out the words "children between the age of six and sixteen," and, in lieu thereof, insert the words "Representatives in the lower House of the General Assembly." On line eight, strike out the word "ten," and, in lieu thereof, insert the word "eight."

In Section 7, line one, strike out the words "twenty thousand," and, in lieu thereof, insert the words "three thousand five hundred;" also, on the same line, strike out the word "five," and, in lieu thereof, insert the word "one."

On line three, strike out the words "one thousand," and, in lieu thereof, insert the words "five hundred." On fourth line, after the word "Beaufort," insert the words "one thousand dollars for fitting up and repairing Arsenal at Columbia."

Also, that the following Section be added to the Bill:

"SECTION 8. That all taxes assessed and payable under this Act shall be paid in the following kinds of funds, viz: Bills receivable of the State; United States currency; National bank notes; gold or silver coin."

Mr. WHITEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to amend an Act providing for the general elections, and the manner of conducting the same, approved March 1, 1870;

A Bill to define and regulate the jurisdiction of the Police Court of the City of Charleston;

A Bill relative to the fees of the State Land Commissioner;

A Bill to amend an Act entitled "An Act to better protect holders of insurance policies in this State ;"

A Bill to amend an Act regulating the fees of Sheriffs and other officers therein named, and for other purposes ;

A Bill to renew the charter of the ferry known as Ashepoo Ferry ;

Joint Resolution authorizing the State Treasurer to re-issue a certain certificate of State stock to R. B. Mills ;

Joint Resolution authorizing the State Treasurer to re-issue a certain certificate of State stock to R. L. North, Executor of Elizabeth E. North, deceased ;

Joint Resolution authorizing the State Treasurer to re-issue certain certificates of State stock to M. E. Carerre, M. D., and W. M. Wilson.

The above Bills and Joint Resolutions received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading.

Joint Resolution to authorize the State Treasurer to re-issue to W. B. Pringle, Executor of Mrs. Bertha Skirving, certificate of State stock.

The Joint Resolution received its third reading, passed ;

Ordered, That it be enrolled for ratification.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to incorporate the Capital Building and Loan Association, of Columbia.

The Bill received its third reading, passed ;

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled for ratification.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Bill to repeal an Act entitled "An Act to authorize additional aid to the Blue Ridge Railroad Company in South Carolina."

The Bill received its third reading.

On the question of the passage of the Bill, and ordering it to be sent to the House of Representatives, \

Mr. HAYNE moved that the further consideration of the Bill be made the Special Order for to-morrow, at 1 P. M.

Mr. LESLIE moved that the motion of the Senator from Marion be ordered to lie on the table.

The motion of the Senator from Barnwell was withdrawn.

On the question of agreeing to the motion of the Senator from Marion, Mr. LESLIE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Barber, Beckman, Cardozo, Greene, Hayes, Leslie, Maxwell, Montgomery, Swails, Whittemore, Wimbush.—12.

Nays—Messrs. Arnim, Bieman, Clinton, Dickson, Duvall, Foster, Hayne, Hollinshead, Johnston, Nash, Owens, Wilson.—12.

The President voted in the negative.

So the Senate refused to postpone the further consideration of the Bill; and make it the Special Order for to-morrow, at 1 P. M.

After debate, participated in by Messrs. Leslie, Hayne,

Mr. HAYNE moved that the further consideration of the Bill be indefinitely postponed.

The motion of the Senator from Marion was subsequently withdrawn.

Mr. ARNIM, pursuant to notice, moved to amend Section 1 of the Bill by the addition of the following proviso :

“Provided, That this Act shall not take effect until the Stockholders of the Blue Ridge Railroad Company, in South Carolina, shall assent thereto, at a meeting of the Stockholders, called for that purpose.”

Pending debate, on the amendment of the Senator from Edgefield, participated in by Messrs. Arnim, Leslie, Swails, Whittemore,

Mr. SWAILS moved that the further consideration of the amendment of the Senator from Edgefield be indefinitely postponed.

After further debate,

The amendment of the Senator from Edgefield was withdrawn.

Mr. GAILLARD sent to the President's desk, and had read, the protest of the Mayor and Aldermen of the City of Charleston, representing the citizens thereof, against the passage of a Bill entitled “A Bill to repeal an Act entitled ‘An Act to authorize additional aid to the Blue Ridge Railroad Company of the State of South Carolina.’”

On motion of Mr. WHITTEMORE, Section 1 was amended, in the eighth and ninth lines, manuscript Bill, by striking out the word and figure “four (4),” and inserting in lieu thereof the word and figure “five (5).”

Mr. WHITTEMORE, pursuant to notice, moved to further amend by the addition of the following Section :

“SECTION 2. That the Governor be, and he is hereby, directed to cause to be issued Conversion Bonds of the State of South Carolina, issued under Act, approved March 23d, 1869, bearing interest at the rate of six per cent. in gold, payable within twenty years, signed by the Governor and countersigned by the Treasurer, to an amount sufficient to take up and remove all liabilities now incurred upon said endorsed bonds of the Blue Ridge Railroad Company. The Governor and Treasurer are further authorized, before issuing said Conversion Bonds, to apply to the removal of the said liabilities of the Blue Ridge Railroad Company any

balance or balances in the Treasury not otherwise appropriated, or any funds arising from appropriations made to pay the existing public debt.

SECTION 3. That a tax shall be levied upon all the taxable property of the State to pay the interest on the same, when it shall become due "

After debate, participated in by Messrs Whittamore, Leslie, Smalls, Wilson, Swails,

Mr. SMALLS moved that the amendment of the Senator from Darlington be ordered to lie on the table.

On the question of agreeing to the motion of the Senator from Beaufort,

Mr. JOHNSTON called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas.—Messrs. Arnim, Bieman, Burroughs, Dickson, Holcombe, Hollinshead, Johnston, McIntyre, Smalls, Wilson—10.

Nays.—Messrs. Allen, Barber, Beckman, Cardozo, Clinton, Duncan, Duvall, Gaillard, Greene, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittamore, Wimbush—18.

So the Senate refused to lay the amendment of the Senator from Darlington on the table.

On the question of agreeing to the amendment of the Senator from Darlington,

Mr. SMALLS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas.—Messrs. Allen, Barber, Beckman, Cardozo, Clinton, Duncan, Duvall, Gaillard, Greene, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittamore, Wimbush.—18.

Nays.—Messrs. Arnim, Bieman, Burroughs, Dickson, Holcombe, Hollinshead, Johnston, McIntyre, Smalls.—9.

So the amendment of the Senator from Darlington was agreed to.

On the question of the passage of the Bill, and ordering it to be sent to the House of Representatives,

Mr. JOHNSTON called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas.—Messrs. Allen, Barber, Beckman, Cardozo, Clinton, Duncan, Duvall, Gaillard, Greene, Hayne, Leslie, Maxwell, Montgomery, Nash, Owens, Rose, Swails, Whittamore, Wimbush.—19.

Nays.—Messrs. Arnim, Bieman, Burroughs, Dickson, Holcombe, Hollinshead, Johnston, McIntyre, Smalls, Wilson —10.

The PRESIDENT announced that the Bill, not having received a two-thirds vote, in conformity to the provisions of the Constitution, was accordingly rejected.

On motion of Mr. ARNIM, at 4:30 P. M., the Senate adjourned.

WEDNESDAY, MARCH 1, 1871.

Pursuant to adjournment the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

On motion of Mr. SWAILS, the reading of the Journal of yesterday was dispensed with.

REPORT OF THE LAND COMMISSIONER.

The PRESIDENT laid before the Senate

Report of the Land Commissioner of the transactions of his office since his appointment as Land Commissioner.

The Report was received as information, ordered to be printed, and copies laid on the desks of Senators.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned, with amendments,

Senate Bill to amend an Act entitled "An Act to define the criminal jurisdiction of Trial Justices," approved March 1, 1870.

On motion of Mr. WHITTEMORE, the amendments were concurred in.

Ordered, That the title of the Bill be changed to that of an Act, and that it be enrolled for ratification.

The House also returned to the Senate, with amendments,

Senate Bill to amend an Act entitled "An Act to define the jurisdiction and duties of the County Commissioners."

On motion of Mr. WHITTEMORE, the Senate refused to concur in the amendments, and a message was sent to the House of Representatives accordingly.

The House sent to the Senate:

A Bill to recharter the Cypress Causeway ;

A Bill to prohibit the bringing of paupers into the State of South Carolina ;

A Bill to amend an Act entitled "An Act to incorporate the Homestead Building, Planting and Loan Association, of South Carolina ;"

A Bill to repeal an Act entitled "An Act to amend an Act providing for the assessment and taxation of property ;"

A Bill to incorporate certain religious associations ;

Joint Resolution to authorize the County Commissioners of Kershaw County to levy a special tax for the purpose of building a County jail.

The above Bills and Joint Resolution received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

PETITIONS.

Mr. HOLLINSHEAD presented the claim of R. C. Kahlo, for loss sustained during the election riot in Laurens County, S. C.; which was referred to the Committee on Claims.

Mr. WILSON presented the account of G. D. Williams, of Anderson County, for services as school teacher; which was referred to the Committee on Education.

REPORTS OF COMMITTEES.

Mr. WIMBUSH, from the Committee on Contingent Expenses and Accounts, to whom was referred sundry contingent accounts against the Senate, reported back the same, with a recommendation that the accounts be paid.

On motion of Mr. WIMBUSH, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported that the following Acts and Joint Resolutions, having been duly enrolled, sealed and ratified, were presented for approval to His Excellency the Governor at 1:30 P. M. this day :

An Act to renew and amend the charter of the town of Bamberg, in the State of South Carolina;

An Act to compel County Treasurers to receive County checks or warrants in payment for County taxes, and for other purposes;

Joint Resolution authorizing the State Treasurer to re-issue to John Phillips, Executor of John Campbell, deceased, certain certificates of State stock;

Joint Resolution to provide for the publication of the decisions of the Supreme Court during the years 1868, 1869 and 1870.

Mr. SWAILS, from the Special Joint Committee appointed to investigate the affairs of the Constabulary Department, reported progress, and asked for further time, which was granted.

Mr. SWAILS, from the Special Joint Committee appointed to investigate as to the expenditure of the appropriation of \$135,000 for Legislative expenses, reported progress, and asked for further time, which was granted.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading:

Bill to provide for the construction and repair of public highways;

Bill to incorporate the Workingmen's Mutual Benefit Life Assurance Association, of South Carolina.

The above Bills received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification:

An Act to amend an Act entitled "An Act to establish and maintain a system of Free Common Schools for the State of South Carolina;"

An Act to amend an Act entitled "An Act to define the criminal jurisdiction of Trial Justices," approved March —, 187—;

An Act to require County Commissioners to report to the General Assembly;

An Act to release the lien of the State upon a lot of land in the city of Charleston owned by the South Carolina Institute for the Promotion of Art, Mechanical Ingenuity and Industry, and take a similar lien upon the new hall erected by said South Carolina Institute.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the above Acts.

BILLS INTRODUCED.

Mr. ROSE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Joint Resolution providing for the levy and collection of a special tax upon the property of the citizens of York County.

The Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. CLINTON asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Joint Resolution authorizing the County Sheriff of Lancaster to publish notices of sales of property under execution.

The Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE asked the unanimous consent of the Senate to introduce, without previous notice,

Joint Resolution to require the Governor to communicate with the proper authorities of the State of Georgia, with a view to a readjustment of the boundary line between the States of Georgia and South Carolina, and authorizing the appointment of three Commissioners.

Objection being made,

Mr. WHITTEMORE then gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce the above Joint Resolution.

Mr. SMALLS asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Joint Resolution to extend the time for the completion of the Port Royal Railroad.

The Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. LESLIE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to fund the debt of the State.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to retire and cancel the hypothecated bonds of the Blue Ridge Railroad Company, of South Carolina ;

A Bill to provide for the withdrawal of the State endorsement on the bonds of the Blue Ridge Railroad Company.

RESOLUTIONS.

Mr. LESLIE introduced the following Resolution :

Be it resolved by the Senate, the House of Representatives concurring, That the Clerks of the General Assembly be, and they are hereby, authorized to draw a pay certificate in favor of the Chairman of the Special Joint Committee appointed by the General Assembly to investigate the affairs of the County Commissioners of Charleston County, the same to be for the payment of expenses, to-wit: The sum of six hundred (600) dollars as fees and mileage of witnesses in attendance upon said Committee; the sum of one hundred and fifty (150) dollars for Sergeant at Arms; the sum of one hundred and fifty (150) dollars for the Clerk of the Committee.

On motion of Mr. LESLIE, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Ordered, That it be sent to the House of Representatives for concurrence.

Mr. WHITTEMORE introduced the following Resolution :

Resolved by the Senate, the House of Representatives concurring, That

J. Hollinshead, L. L. Guffin, H. W. Dawson, Snowden Brown, Sr., E Cain, be, and are hereby, appointed a Board of Trustees of the De La-Howe Free School Institution under Joint Resolution to appoint Trustees of the De LaHowe Free School, approved February , A. D. 1871.

On motion of Mr. WHITTEMORE, the Rule was suspended, and the Resolution considered immediately.

After debate, participated in by Messrs. Hayne, Whittemore, Leslie, The Resolution of the Senator from Darlington was withdrawn.

Mr. WHITTEMORE introduced the following Resolution :

Resolved by the Senate, the House of Representatives concurring, That the State Treasurer be, and is hereby, required to give the General Assembly, on Saturday, the 4th instant, an accurate statement of all bonds registered by him, in their numerical order, which have been issued for any purpose whatever on the faith and credit of the State since July, 1868. Such statement to exhibit the number and amount hypothecated, sold and unpaid, and to whom, severally, made payable, and under what law authorized.

On motion of Mr. WHITTEMORE, the Rule was suspended, and the Resolution considered immediately.

After debate, participated in by Messrs. Leslie, Whittemore,

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Ordered, That it be sent to the House of Representatives for concurrence.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

On motion of Mr. HAYNE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Finance on House Bill to make appropriations and raise supplies for the year commencing November 1, 1871.

The Report was read, and the Bill taken up for a second reading and consideration, as in Committee of the Whole, and by Sections.

Pending the consideration of Section 1,

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Messages Nos. 57 and 58 from His Excellency the Governor were presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Messages related to Executive business.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

Report of the Committee on Finance on a Bill to make appropriations and raise supplies for the year commencing November 1, 1870.

The question recurred on agreeing to the amendment to Section 1 recommended by the Committee, to strike out, on line seven, after the word "dollars," the words "for the Assistant Adjutant and Inspector General, one thousand five hundred dollars."

The question was taken on agreeing to the amendment, and decided in the affirmative.

Pending the further consideration of the amendments to Section 1 recommended by the Committee on Finance,

The PRESIDENT announced the hour arrived for the consideration of the

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day at 1 P. M., to wit:

Bill to create a Sinking Fund for the payment of the principal of the public debt.

On motion of Mr. SMALLS, the further consideration of the Special Order was postponed until the disposal of the matter previously under consideration.

GENERAL ORDERS.

The Senate resumed the consideration of

Report of the Committee on Finance on Bill to make appropriations and raise supplies for the year commencing November 1, 1870.

On the question of agreeing to the recommendation of the Committee, to amend Section 1, in line fourteen, printed Bill, by inserting between the words "thousand" and "dollars," the words "five hundred,"

After debate, participated in by Messrs. Smalls, Nash,

Mr. SMALLS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Barber, Bieman, Burroughs, Cardozo, Duncan, Gaillard, Greene, Hayne, Hollinshead, Johnston, Maxwell, Montgomery, McIntyre, Nash, Owens, Whittimore.—17.

Nays—Messrs. Beckman, Dickson, Duvall, Foster, Leslie, Smalls, Wilson, Wimbush.—8.

So the amendment of the Committee was agreed to.

The question recurred on agreeing to the recommendation of the Committee to amend Section 1, in nineteenth line, printed Bill, by striking

out, after the word "dollars," the words "for the eight Circuit Solicitors, eight thousand dollars."

After debate, participated in by Messrs. Smalls, Hayne, Nash, Swails, Leslie,

The question was taken on agreeing to the recommendation of the Committee, and decided in the negative.

The question was taken on agreeing to the recommendation of the Committee to amend Section 1, twenty-eighth line, by striking out, after the word "dollars," the words "for additional clerical service, five hundred dollars," and decided in the affirmative.

Mr. MCINTYRE moved to amend Section 1, in the tenth line, printed Bill, by striking out all after the word "Treasurer" down to and inclusive of the word "dollars," in the thirteenth line.

The amendment of the Senator from Colleton was not agreed to.

Mr. NASH moved to amend Section 1, in the sixteenth line, printed Bill, by inserting after the word "dollars" the words "for the Land Commissioner, one thousand dollars."

Mr. WHITTEMORE moved to amend the amendment of the Senator from Richland by striking out the words "for the Land Commissioner," and inserting in lieu thereof the words "two thousand dollars, to be paid to the Special Joint Committee appointed to investigate the affairs of the Land Commission."

Pending debate, participated in by Messrs. Nash, Whittemore, Leslie,

Mr. LESLIE sent to the President's desk, and had read, the testimony of General Bates, taken before the Committee of Investigation, relative to lands purchased by the Land Commissioner in Spartanburg County.

After further debate, participated in by Messrs. Nash, Whittemore, Leslie, Maxwell,

The amendment of the Senator from Darlington was withdrawn.

On the question of agreeing to the amendment of the Senator from Richland,

Mr. DUVALL called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Hayne, McIntyre, Nash.—3.

Nays—Messrs. Barber, Bieman, Burroughs, Beckman, Cardozo, Clinton, Dickson, Duncan, Duvall, Foster, Gaillard, Greene, Holcombe, Hollishead, Johnston, Leslie, Maxwell, Montgomery, Owens, Rose, Smalls, Swails, Whittemore, Wilson, Wimbush.—25.

So the Senate refused to agree to the amendment of the Senator from Richland.

The question was taken on agreeing to the recommendation of the Committee to amend Section 2 by striking out the words "twenty-five," and inserting, in lieu thereof, the word "fifteen;" in line four, by striking

out the word "four," and inserting, in lieu thereof, the word "two;" also, by striking out the word "three," and inserting, in lieu thereof, the word "one;" also, by striking out, in line six, the words "one thousand," and inserting, in lieu thereof, the words "five hundred;" also, in lines seven, eight, nine, ten and eleven, by striking out the words "one thousand," and inserting, in lieu thereof, the words "five hundred;" also, by striking out, in line eleven, the words "for the contingent fund of the State Constable, five hundred dollars;" also, in line twelve, by striking out, after the word "Librarian," the word "three," and inserting, in lieu thereof, the word "one."

Mr. SMALLS moved that the vote whereby the Senate agreed to amend Section 2, in the twelfth line, be reconsidered.

Mr. HAYNE moved that the motion to reconsider be ordered to lie on the table.

The question was taken on agreeing to the motion of the Senator from Marion, and decided in the negative.

The question was then taken on agreeing to the motion of the Senator from Beaufort, and decided in the affirmative.

On motion of Mr. WHITEMORE, Section 2 was amended, in the twelfth line, so as to read: "For the contingent fund of the State Librarian, one hundred and fifty dollars."

The question was then taken on agreeing to the amendment to Section 3, recommended by the Committee, to strike out of the first line the word "four," and insert, in lieu thereof, the word "one;" also, to strike out of the fourth line the words "one thousand," and insert, in lieu thereof, the words "five hundred," and decided in the affirmative.

The question recurred on the recommendation of the Committee to amend Section 4, tenth line, after the word "dollars," by striking out the remaining part of the Section, and in lieu thereof insert the following: "For current printing of the General Assembly, thirty thousand dollars, if so much be necessary, to be paid on the order of the Clerks of both Houses. For payment of claims passed by the General Assembly, fifty thousand dollars, if so much be necessary, to be paid in the usual manner."

Mr. NASH moved to amend the amendment, by striking out the word "fifty," and inserting in lieu thereof the words "twenty-five."

After debate, participated in by Messrs. Hayne, Nash,

The amendment to the amendment was withdrawn.

Mr. HAYNE moved to amend the amendment of the Committee, by striking out, in lines ten and eleven, Section 4, the words "for the Constabulary, ten thousand dollars, if so much be necessary."

The question was taken on agreeing to the amendment to the amendment, and decided in the affirmative.

The question was then taken on agreeing to the amendment of the Committee, as amended, and decided in the affirmative.

The question recurred on agreeing to the amendment to Section 5, recommended by the Committee, to strike out of the second line, after the word "Penitentiary," the word "eighty," and insert in lieu thereof the word "sixty."

Mr. HAYNE moved that the further consideration of the amendment of the Committee be indefinitely postponed.

After debate, participated in by Messrs. Hayne, Leslie, Nash,
On the question of agreeing to the motion of the Senator from Marion,
Mr. DUVALL called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Barber, Cardozo, Clinton, Hayne, Johnston, Maxwell, McIntyre, Nash, Smalls, Wimbush.—11.

Nays—Messrs. Arnim, Bieman, Burroughs, Beckman, Dickson, Duncan, Duvall, Foster, Greene, Holcombe, Hollinshead, Leslie, Montgomery, Owens, Rose, Swails, Whittemore, Wilson.—18.

So the Senate refused to indefinitely postpone the consideration of the amendment to Section 5 proposed by the Committee.

The question was then taken on agreeing to the recommendation of the Committee, and decided in the affirmative.

On the question of agreeing to the amendment of the Committee to Section 5, third line, by striking out the word "five," and inserting, in lieu thereof, the word "one,"

Mr. ALLEN moved to amend the amendment by striking out "one," and inserting, in lieu thereof, the word "seven."

Mr. NASH moved that the consideration of the amendment to the amendment be indefinitely postponed.

The question was taken on agreeing to the motion of the Senator from Richland, and decided in the negative.

On the question of agreeing to the amendment of the Senator from Greenville,

Mr. DUVALL called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Barber, Beckman, Clinton, Gaillard, Greene, Hayes, Hayne, Johnston, Leslie, Montgomery, Rose, Swails, Whittemore.—14.

Nays—Messrs. Bieman, Burroughs, Cardozo, Dickson, Duncan, Duvall, Foster, Holcombe, Hollinshead, Maxwell, McIntyre, Nash, Owens, Smalls, Wilson, Wimbush.—16.

So the Senate refused to agree to the amendment of the Senator from Greenville

Mr. WHITTEMORE moved to amend the amendment of the Com-

mittee, in line three, Section 5, by striking out the word "one," and inserting in lieu thereof the word "six."

On the question of agreeing to the amendment to the amendment, Mr. NASH called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Arnim, Barber, Burroughs, Beckman, Cardozo, Clinton, Dickson, Duncan, Foster, Gaillard, Greene, Hayes, Hayne, Holcombe, Hollinshead, Johnston, Leslie, Montgomery, Owens, Rose, Smalls, Swails, Whittemore, Wilson, Wimbush.—26.

Nays—Messrs. Bieman, Duvall, Maxwell, McIntyre, Nash.—5.

So the amendment of the Senator from Darlington was agreed to.

On motion of Mr. WHITTEMORE, Section 5 was further amended, in the second line, printed Bill, by inserting after the word "Governor," the words "past due for the construction of and."

The question was taken on agreeing to the amendments to Section 6, in line four, by striking out the words "children between the age of six and sixteen," and, in lieu thereof, inserting the words "Representatives in the lower House of the General Assembly;" also, in line eight, by striking out the word "ten," and, in lieu thereof, inserting the word "eight," and decided in the affirmative.

Mr. HAYNE moved to amend the amendment recommended by the Committee to Section 7, by striking out the words "three thousand five hundred," and inserting in lieu thereof the words "four thousand;" also, to insert in lieu of the words "five hundred," the words "one thousand."

Mr. GAILLARD moved to amend the amendment to the amendment by striking out the words "four thousand," and inserting in lieu thereof the words "seven thousand."

After debate, participated in by Messrs. Gaillard, Arnim, Wimbush,

On the question of agreeing to the amendment of the Senator from Charleston,

Mr. WIMBUSH called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Gaillard, Montgomery, McIntyre, Nash, Smalls.—5.

Nays—Messrs. Allen, Arnim, Barber, Bieman, Burroughs, Beckman, Cardozo, Clinton, Dickson, Duncan, Duvall, Foster, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Maxwell, Owens, Rose, Swails, Whittemore, Wilson, Wimbush.—25.

So the Senate refused to agree to the amendment of the Senator from Charleston.

On the question of agreeing to the amendment of the Senator from Marion,

Mr. WIMBUSH called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Arnim, Barber, Bieman, Burroughs, Cardozo, Dickson, Duncan, Duvall, Foster, Hayes, Hayne, Holcombe, Hollinshead, Johnston, Maxwell, Montgomery, McIntyre, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson.—25.

Nays—Messrs. Beckman, Clinton, Gaillard, Greene, Leslie, Wimbush.—6.

So the Senate agreed to the amendment of the Senator from Marion.

Mr. HAYNE moved that so much of the recommendation of the Committee as related to the Military Hall at Charleston be agreed to.

Mr. LESLIE moved, as an amendment to the motion of the Senator from Marion, that Section 7, printed Bill, be stricken out.

On the question of agreeing to the motion of the Senator from Barnwell,

Mr. LESLIE called for the yeas and nays

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Arnim, Bieman, Burroughs, Beckman, Dickson, Duncan, Duvall, Foster, Hayes, Holcombe, Leslie, Maxwell, Nash, Owens, Rose, Whittemore, Wilson, Wimbush.—18.

Nays—Messrs. Barber, Cardozo, Clinton, Gaillard, Greene, Hayne, Hollinshead, Johnston, Montgomery, McIntyre, Smalls, Swails.—12.

So Section 7 of the Bill was stricken out.

The question was taken on the amendment recommended by the Committee, to amend the Bill by the addition of the following, and decided in the affirmative :

“SECTION 7. That all taxes assessed and payable under this Act shall be paid in the following kinds of funds, viz: Bills Receivable of the State; United States currency; National Bank notes; gold or silver coin.”

On motion of Mr. WHITTEMORE, the vote whereby the Senate agreed to Section 4 of the Bill was reconsidered.

Mr. WHITTEMORE moved to amend by inserting, in the twelfth line, printed Bill, after the word “dollars,” the words “for deficiency for Legislative expenses, fifty thousand dollars, if so much be necessary.”

After debate, participated in by Messrs. Whittemore, Duvall,

The question was taken on agreeing to the amendment of the Senator from Darlington, and decided in the affirmative.

On motion of Mr. WHITTEMORE, Section 4 was further amended by inserting, in the twelfth line, after the word “necessary,” the words, “for deficiency for the payment of Commissioners and Managers of Elections for the year 1870, two thousand dollars, if so much be necessary.”

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

Messrs. Whittemore and McIntyre gave notice that on the third reading of the above Bill, they would move to make sundry amendments.

Mr. NASH rose to a question of privilege, and sent to the President's desk, to be read, the following communication :

COLUMBIA, S. C., March 1, 1871.

To Hon. W. B. NASH, Senator Richland County.

SIR: A statement having been made on the floor of the Senate this morning that I received a consideration for purchasing a tract of land from one General Bates, of Spartanburg, I hereby brand said statement as basely and maliciously false.

The purchase of the land in question was made by the Advisory Board, and the Board fixed the price to be paid for it, during my absence from Columbia in Beaufort County, without my knowledge, nor did I know of the purchase until I returned and the titles were handed me by General Bates when he demanded payment. The correctness of this statement will, I am assured, be certified by the Advisory Board whenever they are called upon to do so.

Very respectfully,

ROBERT C. DELARGE,
Land Commissioner.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned to the Senate, with amendments,

Concurrent Resolution requiring the State Treasurer to give an accurate statement of all bonds registered or not registered by him.

The House sent to the Senate the following messages :

IN THE HOUSE OF REPRESENTATIVES,

COLUMBIA, S. C., March 1, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that Messrs. C. D. Hayne, Whipper, Yocom, Logan and Ferguson have been appointed Committee of Conference on the part of the House, to meet Committee appointed on the part of your honorable body, to adjust differences relative to amendments to "A Bill to regulate the manner of drawing Juries."

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker of the House of Representatives.

THURSDAY, MARCH 2, 1871.

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IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., March 1, 1871.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that they respectfully insist on amendments to a Senate Bill to amend "an Act to define the duties and jurisdiction of County Commissioners," and request the appointment of a Committee of Conference.

Messrs. Dennis, Lee and Andell have been appointed Committee on the part of the House.

Very respectfully, &c.,

F. J. MOSES, Jr.,
Speaker of the House of Representatives.

On motion of Mr. WHITTEMORE, the request was granted, and a message sent to the House of Representatives accordingly.

Messrs. Leslie, Whittemore, were appointed Committee on the part of the Senate.

Mr. MAXWELL rose and spoke to a question of privilege, after which,

On motion of Mr. HAYNE, at 4:40 P. M., the Senate adjourned.

THURSDAY, MARCH 2, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT, announced the Senate ready to proceed to business.

Prayer by the Chaplain.

On motion of Mr. WHITTEMORE, the reading of the Journal of yesterday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following Message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C. March 2, 1871.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body

that they request the appointment of a Committee of Free Conference on "A Bill to regulate the manner of drawing juries." The Committee of Conference having reported that the Committee of Conference have failed to agree, said Committee of Conference on the part of the House have been discharged.

Respectfully, &c ,

F. J. MOSES, JR.,

Speaker House of Representatives.

Mr. WHITTEMORE, from the Committee of Conference, submitted the following Report :

The Committee of Conference, on the part of the Senate, whose duty it was to meet confreres, on the part of the House, relative to a disagreement between the two branches of the General Assembly upon amendments made by the Senate to a Bill to regulate the manner of drawing juries, beg leave to report that the Committee of Conference have failed to agree, and that the House refuses to concur in the Senate amendments. Your Committee ask to be discharged from further duty in this matter.

On the question of agreeing to the request contained in the message from the House of Representatives for the appointment of a Committee of Free Conference,

Mr. SWAILS rose to a point of order, which was that no Joint Rules, for the government of the two Houses, had been agreed to by the present General Assembly.

The PRESIDENT ruled the point of order well taken, no concurrent action, from the information of the Chair, having been taken by the two Houses on Joint Rules for the government of the present General Assembly, and in the absence of such Rules, the Chair, under Rule 42 of the Senate, would be governed in his decision by the Rules laid down in Jefferson's Manual of Parliamentary Practice.

The PRESIDENT read for the information of the Senate the following extract from Jefferson's Manual (Barclay's Digest, pages 125 and 126. Section 45 :) :

SEC. XLV.—AMENDMENTS BETWEEN THE HOUSES.

"When either House, *e. g.* the House of Commons, sends a Bill to the other, the other may pass it, with amendments. The regular progression in this case is, that if the Commons disagree to the amendment, the Lords insist on it; the Commons insist on their disagreement; the Lords adhere to their amendment; the Commons adhere to their disagreement. The term of insisting may be repeated as often as they choose to keep the question

open. But the first adherence, by either, renders it necessary for the other to recede or adhere also, when the matter is usually suffered to fall."

After debate, participated in by Messrs. Hayne, Small, Leslie, Whittemore, Swails,

On motion of Mr. NASH, the Senate refused to agree to the request for a Committee of Free Conference, and a message sent to the House of Representatives insisting on the Senate amendments.

The House also sent to the Senate,

Concurent Resolution requiring the Joint Committee appointed to investigate the affairs of the Land Commission, to report Friday, March 3, 1871.

The Resolution was concurred in, and ordered to be returned to the House of Representatives.

The House also sent to the Senate,

Concurrent Resolution to request the President of the Blue Ridge Railroad to render a certain report.

On motion of Mr. ARNIM, the Resolution was ordered to lie on the table, and a message sent to the House of Representatives accordingly.

The House also sent to the Senate,

Concurrent Resolution authorizing the Governor to appoint a physician to inspect the various asylums in the United States.

On motion of Mr. DUVALL, the Resolution was ordered to lie on the table, and a message sent to the House of Representatives accordingly.

The House also sent to the Senate

Report of the Committee on Claims on the account of J. M. Vaughn ; which was referred to the Committee on Claims.

The House returned, with concurrence,

Concurrent Resolution instructing the Clerks of both houses to draw pay certificates for expenses of Committee of Investigation of Affairs of Charleston County Commissioners

The House also returned, with concurrence,

Report of Senate Committee on Education on the account of M. J. Cantwell, J. M. Putnam, M. D. Haddens, for services rendered as teachers.

The House sent to the Senate

Bill to provide for the election of Justices of the Peace and Constables, and for other purposes.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

The House also sent to the Senate

A Bill to charter the North-Western Railroad Company, in the State of South Carolina.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

The House also sent to the Senate

A Bill to incorporate the Shiloh Camp Ground ;

A Bill to incorporate the Walhalla Hook and Ladder Company, of Walhalla, South Carolina ;

A Bill to empower, authorize and require the County Commissioners of Orangeburg County to build a bridge across the North Fork of Edisto River, and establishing a road therefrom to the town of Branchville ;

A Bill to incorporate the Camden Steam Mill Company ;

A Bill to validate the action of the County Commissioners of Oconee County, in exchanging and conveying the lot ceded to them to build a jail upon ;

A Bill to incorporate Gowensville Lodge, No 107, of Ancient Free Masons, of the State of South Carolina.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

PETITIONS, &c

Mr. WIMBUSH presented the petition of members of the General Assembly praying for the removal from office of Judge Wm. M. Thomas, and accompanied by the following Resolution :

Resolved, That a copy of the accompanying address be immediately served upon the Hon. W. M. Thomas, and also that the said W. M. Thomas be, and he is hereby, ordered to appear before this Senate on Saturday, the 4th, in his own defence, at 1 o'clock, P. M,

On motion of Mr. WIMBUSH, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Mr. SWAILS presented the account of J. M. Allen, for work done in the Senate; which was referred to the Committee on Contingent Accounts and Expenses of the Senate.

Mr. NASH presented the account of the Columbia Gas Light Company, for gas furnished the State Capitol; which was referred to the Committee on Contingent Accounts and Expenses of the Senate.

Mr. LESLIE presented the petition of citizens of Barnwell County, praying the passage of an Act authorizing the County Commissioners of Barnwell County to open a road from Blackville, County seat of said County, to Allendale, crossing the Big Salkahatchie Swamp Creek ; which was referred to the Committee on Roads, Bridges and Ferries.

REPORTS OF COMMITTEES.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification :

An Act to incorporate the Capitol Building and Loan Association of Columbia ;

An Act to establish a new Judicial and Election County, from portions of the Counties of Barnwell, Edgefield, Lexington and Orangeburg, to be known as Aiken County.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the above Acts.

Mr. WIMBUSH, from the Committee on Incorporations, to whom was referred a Bill to amend and extend the charter of the Planters' and Mechanics' Bank of South Carolina, reported back the same with a recommendation that the Bill do pass.

Ordered for consideration to-morrow.

BILLS INTRODUCED.

Mr. MAXWELL asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to create a debt of the State of South Carolina, to be known as the sterling funded debt, the same, or the proceeds thereof, to be exclusively used in exchange for or in payment of the existing public debt of the said State.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to provide for the withdrawal of the State endorsements on the bonds of the Blue Ridge Railroad Company ;

A Bill to retire and cancel the hypothecated Blue Ridge Railroad bonds.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. LESLIE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to authorize and require the County Commissioners of Barnwell County to establish a road from Blackville to Allendale ;

Joint Resolution authorizing the State Treasurer to re-issue stock of the State of South Carolina to R. Cohen, &c. ;

The above Bill and Joint Resolution received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M., to-wit :

Bill to create a sinking fund for the payment of the principal of the public debt of South Carolina.

On motion of Mr. WHITTEMORE, the further consideration of the Special Order was postponed until the disposal of the morning business.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Bill to make appropriations and raise supplies for the year commencing November 1, 1870.

The Bill received its third reading

On motion of Mr. WHITTEMORE, the Bill was amended by inserting before the words "Superintendent of Education" the word "State."

On the question of the passage of the Bill,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Barber, Bieman, Burroughs, Beckman, Cardozo, Clinton, Dickson, Duncan, Duvall, Foster, Greene, Hayes, Hayne, Holcombe, Hollinshead, Johnston, Leslie, Montgomery, McIntyre, Nash, Rose, Smalls, Swails, Whittemore, Wilson, Wimbush.—27.

Nays—None.

So the Bill passed, and was ordered to be returned to the House of Representatives for concurrence in amendments.

RESOLUTIONS.

Mr. CLINTON introduced the following Resolution :

Whereas, the time granted the Hon. F. A. Clinton, in which to take rebutting evidence in reference to his contested seat in the Senate of the State of South Carolina, has been insufficient for him to obtain the same; therefore, be it

Resolved, That the said time granted to the Hon. F. A. Clinton, for the purposes aforesaid, be extended ninety days.

On motion of Mr. WHITTEMORE, the Rule was suspended, and the Resolution considered immediately.

On motion of Mr. WHITTEMORE, the Resolution was amended by striking out the words "ninety days," and inserting in lieu thereof the words "to the 2^d of November, 1871."

The question was taken on agreeing to the Resolution as amended, and decided in the affirmative.

COMMUNICATION.

The PRESIDENT laid before the Senate the following communication :

OFFICE STATE SUPERINTENDENT OF EDUCATION,
COLUMBIA, S. C., March 2, 1871.

To the Honorable the President and the Senate of the General Assembly of the State of South Carolina :

GENTLEMEN: Section 10 of an Act to amend an Act entitled "An Act to establish and maintain a system of Free Common Schools for the State of South Carolina," which Act, I understand, has passed both branches of the General Assembly, reads as follows :

"SEC. 10. That he, the State Superintendent of Education, shall prepare and transmit to the several County School Commissioners, school registers, blank certificates, reports, and such other suitable blanks, forms and printed instructions as may be necessary to aid school officers and teachers in making their reports, and carrying into full effect the various provisions of the school laws of this State; and shall cause the laws relating to common schools, with such rules, regulations, forms and instructions as shall be prescribed by the Board of Education, to be printed, together with a suitable index, in pamphlet form, by the person authorized to do the State printing, at the expense of the State; and he shall cause copies of the same to be transmitted to the several County School Commissioners for distribution."

I beg leave, most respectfully, to inquire of your honorable body if it is, in your opinion, the will and intention of the General Assembly, that the provisions of the Section quoted above be put into practical effect? Permit me, most respectfully, to state that the State Superintendent of Education cannot fulfill the letter and spirit of said Section with a Contingent Fund of five hundred dollars, or only one-third of the sum needed. Experience has taught me that public officers, as well as private individuals, cannot procure labor and materials on a mere promise to pay. The Act hereinbefore referred to requires the State Superintendent of Education to visit, as far as practicable, every County in the State, and also allows him his actual cost of transportation, when traveling on public business. Now, from what fund must such traveling expenses be paid, unless it be the contingent fund of the State Superintendent of Education? I desire to define my position in this matter, and to place the responsibility where it justly belongs. If the General Assembly designates a certain officer to execute a certain law, but fails or refuses to fur-

nish him with means adequate to its execution, then it is not the fault of said officer that he fails to accomplish the task assigned to him.

I have the honor to be your most obedient servant,

J. K. JILLSON,

State Superintendent of Education, South Carolina.

The communication was received as information, and ordered to be printed.

GENERAL ORDERS.

The Senate proceeded to the consideration of General Orders on the Calendar.

On motion of Mr JOHNSTON, the Senate proceeded to the consideration, out of its order, of

Bill (House) to grant, renew and amend the charters of certain towns and villages therein mentioned.

The Bill was taken up for a second reading.

Pending the consideration of Section 3,

On motion of Mr. LESLIE, the further consideration of the Bill was postponed, and made the Special Order for to-morrow at 2 P. M.

On motion of Mr SMALLS, the Senate proceeded to the consideration, out of its order, of

Joint Resolution to extend the time for the completion of the Port Royal Railroad.

The Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments

Ordered, That the Resolution be engrossed for a third reading.

On motion of Mr SMALLS, the Senate proceeded to the consideration, out of its order, of

Bill (House) relating to the Greenville and Columbia Railroad Company.

On motion of Mr. SMALLS, the Bill was read, and referred to the Committee on Railroads.

On motion of Mr BIEMAN, the Senate proceeded to the consideration, out of its order, of

Bill to recharter Maxwell's Bridge, over Seneca River, in Oconee County.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That it be engrossed for a third reading.

On motion of Mr. SMALLS, the Senate proceeded to the consideration, out of its order, of

Bill (House) declaring the right of way across the Savannah and Charleston Railroad.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That it be engrossed for a third reading.

On motion of Mr. BIEMAN, the Senate proceeded to the consideration, out of its order, of

Bill (House) to authorize County Commissioners of Spartanburg, Pickens, Oconee and Greenville, and the authorities of certain towns in those Counties, to provide means to meet interest on certain bonds.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That it be engrossed for a third reading.

On motion of Mr. ALLEN, the Senate proceeded to the consideration of

A Bill to alter and amend an Act entitled "An Act to alter and amend the charter of the city of Greenville, and for other purposes," approved March 23, 1869.

On motion of Mr. ALLEN, the House amendments were concurred in.

Ordered, That the title of the Bill be changed to that of an Act, and that it be enrolled for ratification.

On motion of Mr. SWAILS, the consideration of General Orders was suspended.

RESOLUTIONS.

Mr. SWAILS introduced the following Resolution :

Resolved, That when the Senate adjourn, it shall stand adjourned to meet this evening at 7 o'clock.

On the question of agreeing to the Resolution,

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Barber, Bieman, Burroughs, Beckman, Cardozo, Clinton, Dickson, Duncan, Duvall, Gaillard, Greene, Hayes, Holcombe, Hollinshead, Johnston, Leslie, Maxwell, McIntyre, Nash, Rose, Smalls, Swails, Whittemore, Wilson, Wimbush.—26.

Nays—None.

So the Resolution was agreed to.

UNFINISHED BUSINESS.

The Senate resumed the consideration of the Unfinished Business, to-wit ;

Bill to provide for the establishment of an Agricultural College ;

Bill to incorporate the Claflin University, and the State Agricultural College of South Carolina.

On motion of Mr. WHITTEMORE, a Bill to provide for the establishment of an Agricultural College, was ordered to lie on the table.

The Senate proceeded to the consideration of

Bill to incorporate the Claflin University, and the State Agricultural College of South Carolina.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. WHITTEMORE, Section 1 was amended by inserting before the name "Beverly" the letter "W."

Mr. LESLIE moved that the further consideration of the Bill be postponed until the next regular session of the General Assembly.

The motion of the Senator from Barnwell was not agreed to.

On motion of Mr. ALLEN, Section 1 was amended by striking out the name "D. T. Corbin" and inserting in lieu thereof the name of "Wm. E. Johnston."

On motion of Mr. NASH, Section 1, was further amended by striking out the name "C. P. Leslie" and inserting in lieu thereof the name of "R. W. Barnwell."

On motion of Mr. WHITTEMORE, Section 1 was further amended by inserting after the name "W. Beverly Nash" the names, "E. S. J. Hayes and D. Bieman."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

GENERAL ORDERS.

The Senate resumed the consideration of General Orders.

On motion of Mr. SMALLS the Senate proceeded to the consideration, out of its order, of

Bill (House) authorizing and empowering James C. Rundlett to establish a wharf in the town of Beaufort.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. NASH, the Senate proceeded to the consideration, out of its order of

Report of Special Joint Committee on Joint Resolution authorizing the Secretary of State to contract with the Southern Domestic Gas Light Company for the illumination of the State House and public offices therein.

The Report and Resolution were taken up for a second reading.

The Resolution received its second reading, and was considered as in Committee of the Whole.

Mr. NASH moved that the further consideration of the Resolution be indefinitely postponed.

After debate, participated in by Messrs. Nash, Cardozo, Allen,

On the question of agreeing to the motion of the Senator from Richland,

Mr. ALLEN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Barber, Bieman, Burroughs, Beckman, Dickson, Duvall, Gaillard, Hayes, Holcombe, Hollinshead, Leslie, Maxwell, McIntyre, Nash, Owens, Swails, Whittemore, Wilson—18.

Nays—Messrs. Allen, Cardozo, Duncan, Rose—4.

So the further consideration of the Resolution was indefinitely postponed.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration of

A Bill to abolish the Sixth Circuit, and to re-organize certain other Circuits therein named.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. WHITTEMORE, the Bill was amended by striking out all after the enacting clause, and inserting in lieu thereof the following :

SEC. 1. That Section 22 of an Act entitled "An Act to revise, simplify and abridge the rules, practice, pleadings and forms of Courts in this State," be so amended as to read as follows :

"SEC. 22. The Circuit Courts in the Fifth Circuit shall be held as follows :

"1. The Court of General Sessions at Camden, for the County of Kershaw, on the third Monday of January, April and September ; and the Court of Common Pleas at Camden, for the County of Kershaw, on the first Thursday after the third Monday of January, April and September.

"2. The Court of General Sessions at Columbia, for the County of Richland, on the first Monday of February, May and October ; and the Court of Common Pleas at Columbia, for the County of Richland, on the second Monday of February, May and October.

"3. The Court of General Sessions at Lexington, for the County of Lexington, on the fourth Monday of February, May and October ; and the Court of Common Pleas at Lexington, for the County of Lexington, on the first Wednesday after the fourth Monday of February, May and October.

"4. The Court of General Sessions at Edgefield, for the County of

Edgefield, on the first Monday of March, June and November ; and the Court of Common Pleas at Edgefield, for the County of Edgefield, on the first Wednesday after the first Monday of March, June and November."

On motion of Mr. WHITTEMORE, the title of the Bill was amended to read,

A Bill to amend Section 22 of the Code of Procedure.

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. LESLIE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Public Buildings on Bill to provide for the appointment of a Supervisor of State House and Grounds.

The Report was read, and the Bill taken up for a second reading

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. LESLIE, Section 1 was amended by striking out the words "Secretary of State," and inserting in lieu thereof the words "J. E. Green, Sergeant-at-Arms."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. McINTYRE, the Senate proceeded to the consideration, out of its order, of

Bill (House) to incorporate the Columbia, Walterboro and Yemassee Railroad Company.

The Bill received its second, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. CARDOZO, Section 1 was amended by striking out the name "J. W. Mead" and inserting in lieu thereof the name "J. J. Klein."

Pending the consideration of Section 2,

On motion of Mr. HAYNE, at 3:15 P. M.,

The Senate adjourned to 7 P. M.

EVENING SESSION.

The Senate re-assembled at 7 P. M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S C, March 2, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that they refuse to concur in amendments by your House to a Bill to make appropriations and raise supplies for the fiscal year, commencing November 1, 1870," viz :

All amendments to Section 1 ;

All amendments to Section 2. (except so much as relates to contingent fund of State Treasurer ;)

All amendments to Section 5 ;

The striking out of Section 7.

Very respectfully,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

On motion of Mr. WHITTEMORE, Senate insisted on its amendments, and a message sent to the House of Representatives requesting a Committee of Conference.

Messrs. Whittemore and Greene were appointed Committee, on the part of the Senate.

REPORTS OF COMMITTEES.

Mr. SWAILS, from the Committee on Railroads, to whom was referred a Bill relating to the Greenville Railroad Company, reported back the same, with a recommendation that the Bill do pass, as amended by the Committee.

Ordered for consideration to-morrow, and to be printed.

UNFINISHED BUSINESS.

The Senate resumed the consideration of the Unfinished Business, to-wit :

Bill to incorporate the Columbia, Walterboro and Yemasee Railroad Company.

On motion of Mr. LESLIE, Section 7 was amended by the addition of the following words : " Or to pledge by way of endorsement or otherwise the credit or the funds of the State of South Carolina in aid of the construction of said road."

Mr. SMALLS moved to amend Section 8, seventh line of printed Bill,

by striking out the word "one" and inserting in lieu thereof the word "two."

The amendment of the Senator from Beaufort was not agreed to.

There being no further amendments.

Ordered, That the Bill be engrossed for a third reading.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Joint Resolution to provide for the publication of Volumes X, XI, XII, XIII and XIV of the statutes of the State and the Journals of the General Assembly, Special Session of 1868.

The Resolution received its second reading, and was considered as in Committee of the Whole.

On motion of Mr. WHITTEMORE. Section 1 was amended, in line 1, by striking out the words "Clerks of the Senate and Clerk of the House of Representatives" and inserting in lieu thereof the words "Republican Printing Company," and by adding to the Section the words, "The Clerk of the Senate and Clerk of the House of Representatives shall have supervision of said printing."

There being no further amendments,

Ordered, That the Resolution be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Incorporations on Bill to charter the town of Chesterfield.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Bill to incorporate the Brewer Gold Mining Company, of South Carolina.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. BIEMAN, the Senate proceeded to the consideration, out of its order, of

Bill to incorporate the Waccamaw and Little River Canal Company.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. GAILLARD, the Senate proceeded to the consideration, out of its order, of

Bill (House) to authorize Henry C. Lancaster, Smith Howe and Henry A. Towles to collect wharfage and storage.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. CARDOZO, the Senate proceeded to the consideration, out of its order, of

Joint Resolution (House) to authorize the County Commissioners of Kershaw County to levy a special tax for the purpose of building a County jail.

The Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That the Resolution be engrossed for a third reading.

On motion of Mr. SMALLS, the Senate proceeded to the consideration, out of its order, of

Resolution that Hon. William E. Johnston be brought before the bar of the Senate for refusal to vote, and show cause why he should not be held amenable to the Rules of this body.

On motion of Mr. SMALLS, the resolving clause of the Resolution was stricken out.

On motion of Mr. WHITEMORE, the Senate proceeded to the consideration, out of its order, of

Bill to amend an Act entitled "An Act to revise, simply and abridge the Rules, Practice, Pleadings and Forms of the Courts of this State."

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. HAYNE, the Bill was amended by inserting the following :

"SEC. 2. The County of Marion is hereby transferred from the Fourth Circuit to the Third Circuit.

"SEC. 3. Section 20 of an Act entitled "An Act to revise, simplify and abridge the Rules, Practice, Pleadings and Forms of Courts in this State," is hereby amended by the addition of the following sub-division :

"The Court of General Sessions at Marion, for the County of Marion,

on the third Monday after the fourth Monday of January, May and October; and the Court of Common Pleas at Marion, for the County of Marion, on the first Wednesday after the third Monday after the fourth Monday of January, May and October."

"SEC. 4. Section 21 of the Act mentioned in the third Section of this Act, is hereby amended by striking out the third sub-division thereof; and the fourth sub-division of said Section shall hereafter be the third sub-division, and the fifth shall hereafter be the fourth."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

Mr. WHITTEMORE gave notice that on the third reading of the above Bill he would move to make sundry amendments.

On motion of Mr. WIMBUSH, the Senate proceeded to the consideration, out of its order, of

Bill (House) to amend an Act entitled "An Act to incorporate the Homestead Building, Planting and Loan Association, of South Carolina."

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. SMALLS, the Senate proceeded to the consideration, out of its order, of

Bill (House) to repeal an Act entitled "An Act to amend an Act providing for the taxation of property."

The Bill received its second reading.

After debate, participated in by Messrs. Whittemore, Smalls,

On motion of Mr. SMALLS, the further consideration of the Bill was suspended.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Bill to amend an Act entitled "An Act providing for the assessment and taxation of property," passed 15th September, 1868, and all Acts amendatory thereto.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. SMALLS moved that the further consideration of the Bill be postponed until the next regular session of the General Assembly.

On the question of agreeing to the motion of the Senator from Beaufort,

Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Maxwell, Owens, Rose, Wimbush.—4.

Nays—Messrs. Bieman, Burroughs, Beckman, Cardozo, Clinton, Dickson, Duncan, Duvall, Gaillard, Greene, Holcombe, Hollinshead, Johnston, Leslie, McIntyre, Nash, Smalls, Whittemore, Wilson.—19.

So the Senate refused to postpone the consideration of the Bill to the next regular session of the General Assembly.

On motion of Mr. WILSON, Section 2 was amended by striking out in the eighth line, printed Bill, the word "Anderson" and inserting the same before the word "Horry," in the thirteenth line, printed Bill.

On motion of Mr. BIEMAN, Section 2 was further amended by striking out on the eleventh line, printed Bill, the word "Oconee" and inserting the same after the word "Lancaster," on the thirteenth line.

On motion of Mr. MCINTYRE, Section 2 was further amended by striking out in the ninth line, printed Bill, the word "Colleton" and inserting the same after the word "Barnwell," on the eighth line.

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

Mr. MAXWELL gave notice that on the third reading of the above Bill he would move to make sundry amendments.

On motion of Mr. ROSE, the Senate proceeded to the consideration, out of its order, of

Joint Resolution providing for the levy and collection of a special tax upon the property of the citizens of York County.

The Resolution received its second reading.

Mr. LESLIE moved that the further consideration of the Resolution, be postponed to the next regular session of the General Assembly.

After debate, participated in by Messrs. Leslie, Wimbush, Nash, Rose, Hayne,

On the question of agreeing to the motion of the Senator from Barnwell,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs Barber, Bieman, Burroughs, Beckman, Cardozo, Clinton, Dickson, Duvall, Greene, Holcombe, Leslie, Maxwell, McIntyre, Nash, Whittemore, Wilson, Wimbush—17.

Nays—Messrs. Hayne, Johnston, Rose, Smalls—4.

So the further consideration of the Resolution was postponed until the next regular session of the General Assembly.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Joint Resolution (House) to confirm the apportionment made by the State Superintendent of Education of South Carolina, for the fiscal year ending October 31, 1869.

The Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That the Resolution be engrossed for a third reading.

On motion of Mr. CARDOZO, the Senate proceeded to the consideration, out of its order, of

Bill (House) to facilitate the punishment of crime.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Pending the consideration of Section 3,

Mr. SMALLS moved that the further consideration of the Bill be postponed, and made the Special Order for to-morrow, at 1 P. M.

On the question of agreeing to the motion of the Senator from Beaufort,

Mr. LESLIE called for the yeas and nays.

After debate, participated in by Messrs. Leslie, Smalls, Nash,

The motion of the Senator from Beaufort, to postpone the consideration of the Bill, and the call for the yeas and nays, were withdrawn.

After further debate,

On motion of Mr. LESLIE, the enacting clause of the Bill was stricken out, and a message sent to the House of Representatives accordingly.

Mr. CARDOZO moved that the vote whereby the enacting clause of House Bill to facilitate the punishment of crime was stricken out be reconsidered.

On the question of agreeing to the motion of the Senator from Kershaw,

Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Cardozo, Clinton, Greene, Hollinshead, Johnston, Smalls, Whittemore.—7.

Nays—Messrs Barber, Bieman, Burroughs, Beckman, Duncan, Duvall, Holcombe, Maxwell, Nash, Rose, Wilson, Wimbush.—12.

So the Senate refused to reconsider the vote whereby the enacting clause of the above Bill was stricken out.

On motion of Mr. GREENE, the Senate proceeded to the consideration, out of its order, of

Bill (House) to incorporate and recharter certain religious institutions.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. GREENE, the Senate proceeded to the consideration, out of its order, of

Bill (House) to incorporate certain religious institutions.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That it be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration of

Bill to amend an Act entitled "An Act for the better protection of migratory fish."

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. WHITTEMORE, Section 3 was amended by the addition of the following proviso: "*Provided*, That the duties assigned by Joint Resolution of January 19, 1870, to the Board of Fish Commissioners be, and they are hereby, assigned and transferred to the Commissioner of the Bureau of Agricultural Statistics "

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. MAXWELL, the Senate proceeded to the consideration, out of its order, of

Bill (House) to provide for Teachers' Institutes.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on the Judiciary on Bill to enforce the road tax.

The Report was read, and the Bill taken up for a second reading.

On motion of Mr. WHITTEMORE, the enacting clause of the Bill was stricken out.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on the Judiciary on Bill to amend an Act entitled "An Act to provide for the construction and keeping in repair of public highways and roads."

On motion of Mr. WHITTEMORE, the Report and Bill were ordered to lie on the table.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on the Judiciary on a Bill to authorize the purchase, for the State, of a manuscript compilation of the penal code.

On motion of Mr. WHITTEMORE, the Report was agreed to, and the Code Commission instructed to examine the execution of said work, and to report to the next General Assembly whether the purchase of said manuscript is advisable.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on the Judiciary on Bill to abolish the Seventh Judicial Circuit.

On motion of Mr. WHITTEMORE, the Report was laid on the table, and the enacting clause of the Bill stricken out.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Education on Bill to establish a Normal School in each Congressional District.

The Report was read, and the Bill taken up for a second reading,

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Pending the consideration of Section 5,

On motion of Mr. LESLIE, at 9:25 P. M., the Senate adjourned.

FRIDAY MARCH 3, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

On motion of Mr. SWAILS, the reading of the Journal of yesterday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., March 3, 1871.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that Messrs. Whipper, Lee, J. N. Hayne, Thomas and Gardner, have been appointed Committee of Conference on the part of the House to meet the Committee appointed by your honorable body to consider amendments to a Bill to make appropriations, and raise supplies for the fiscal year, commencing November 1, 1870.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker House of Representatives.

The House returned to the Senate, with amendments,

A Bill to alter and renew the charter of the town of Darlington;

A Bill to incorporate the town of Florence.

The amendments were concurred in.

Ordered, That the titles thereof be changed to that of Acts, and that they be enrolled for ratification.

The House also returned with amendments,

Joint Resolution making appropriation of forty-seven thousand dollars, for the completion of the State Lunatic Asylum, and for other purposes.

Mr. SWAILS moved that the Senate do not concur.

After debate, participated in by Messrs. Swails, Corbin,

The motion of the Senator from Williamsburg was withdrawn.

Mr. CORBIN moved that the Senate concur

On the question of agreeing to the motion of the Senator from Charleston,

Mr. SWAILS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Barber, Bieman, Burroughs, Beckman, Cardozo, Clinton, Corbin, Duncan, Duvall, Foster, Gaillard, Greene, Hayes, Hayne, Holcombe, Hollinshead, Montgomery, McIntyre, Nash, Owens, Rose, Smalls, Whittemore, Wilson—25.

Nays—Messrs. Dickson, Swails—2

So the House amendments were concurred in.

Ordered, That the Joint Resolution be enrolled for ratification.

The House also sent to the Senate,

A Bill to incorporate the Thomas Guards, of Green Pond, Colleton, South Carolina;

A Bill defining the jurisdiction of Justices of the Peace, the mode of procedure before them, and the duties of Constables, in civil actions.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

The House also sent to the Senate,

A Bill to determine the day of election of the Mayor and Aldermen of the city of Charleston.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No. 59, from His Excellency the Governor, was presented to the Senate by Mr. John Heart, Private Secretary.

The Message was read, as follows :

STATE OF SOUTH CAROLINA,

EXECUTIVE DEPARTMENT,

COLUMBIA, March 2d, 187

Gentlemen of the Senate:

I respectfully return, without my signature, the Act, which originated in your body, to compel County Treasurers to receive County checks or warrants in payment for County taxes, and other purposes. And I do this the more reluctantly, because I recognize in its provisions some salutary restrictions on the amount of checks or warrants to be issued, which I have heretofore recommended, and which I deem essential to the safety of the funds, and the security of the credit of the State. The appropriation Bill directs that County Treasurers shall receive, in payment of taxes, Bills Receivable of the State, United States and National Bank notes, gold and silver coin, and coupons of certain State bonds; and yet, without repealing this clause of the Appropriation Bill, the Act under consideration proposes to compel them to receive an unlimited amount of County checks or orders, without any provision for discriminating between fraudulent and genuine, and this while, in some of the Counties, investigations are now in progress, in which certain County Commissioners are charged with having surreptitiously put in circulation orders to a large amount, for which the County has received no compensation or equivalent. These orders, in all probability, would be the first presented in payment of taxes, and the passage of this Act would be to place beyond the reach of legal investigation any proceedings or acts of the County Commissioners violative of law in the issuing of County checks or orders. Without giving any bonds or security for the faithful performance of their duties, these Commissioners are authorized to issue an unlimited amount of checks or orders, for which the County is held responsible.

One of the effects of the law would be to largely increase the labors of the County Treasurers, as in the great majority of the cases the checks or orders would not be the precise amount called for by the taxes, entailing endless trouble in efforts to make change, or, on the other hand, in doing so, enabling the Treasurer, in making up his accounts, to charge the State, in legitimate currency, much which he paid off in checks. The depletion of currency by the efflux into the Treasury of this paper, which would be valueless for the general County purposes, such as the payment of jurors' and witnesses' fees, the construction of Roads and Bridges, &c., would, to a great extent, paralyze the County Treasuries, by absorbing in their redemption a large amount of their current revenue; and this is the more probable, when it is well understood that in some of the Counties there are warrants and orders already issued beyond the amount of the assessments for the current year.

I regret that the necessity of withholding my approval of this Bill may work with seeming severity on those persons holding orders issued for legitimate purposes, and who are justly entitled to payment, and trust that the Legislature, in its wisdom, may devise some method by which, while justice may be done to the honest creditors of the State its credit may not be impaired or jeopardized.

Very respectfully,

ROBERT K. SCOTT, Governor.

On motion of Mr. CORBIN, the message and accompanying Act were ordered to be printed, and the consideration thereof made the Special Order for to-morrow, at 1 P. M.

MESSAGE FROM THE GOVERNOR.

Messages Nos. 60 and 61, from His Excellency the Governor, were presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The Messages were read, as follows:

STATE OF SOUTH CAROLINA,

EXECUTIVE DEPARTMENT,

COLUMBIA, March 2d, 1871.

Honorable President of the Senate.

SIR—I have the honor to inform you that the following Acts were approved and signed February 28th, to wit:

An Act to authorize Circuit Judges to hold Courts in other Circuits than their own;

An Act to incorporate the Rock Hill Hook and Ladder Company;

An Act to incorporate the Champion Hook and Ladder Company, of Chester;

An Act to incorporate the Savings Building and Loan Association, of South Carolina ;

An Act to renew and amend the charter of the town of Mount Pleasant ;

An Act to provide for the protection of persons, property and the public peace ;

An Act to charter the town of Hamburg ;

An Act to incorporate the town of Timmonsville ;

An Act to incorporate the Mechanics' Union, No. 1, of the city of Charleston, South Carolina ;

An Act to supply the deficiency in the appropriation for the support and maintenance of Free Schools, for 1870.

Very respectfully,

ROBERT K. SCOTT, Governor.

STATE OF SOUTH CAROLINA,

EXECUTIVE DEPARTMENT,

COLUMBIA, March 2d, 1871.

Honorable President of the Senate.

SIR—I have the honor to inform you that I have this day approved and signed the following Acts and Joint Resolutions, to wit :

An Act to charter the town of Yorkville ;

An Act to vest in the Charleston Land Company the charter of a Ferry from Hamlin's Wharf, in the city of Charleston, to the following points on the Wando River, to wit : Scanlonville, Remley's Point, Venning's Landing, and Daniel's Island Landing ;

An Act to amend an Act entitled " An Act to authorize the Commissioners of Public Buildings, for Williamsburg District, to sell certain portions of the public grounds," passed the 22d day of December, A. D. 1859 ;

An Act to authorize Sylvanus Mayo to build a Wharf in the town of Beaufort ;

An Act to renew and amend the charter of the town of Bamberg, in the State of South Carolina ;

Joint Resolution authorizing the State Treasurer to re-issue to John Phillips, Executor of John Campbell, deceased, certain certificates of State Stock ;

Joint Resolution to provide for the publication of the decisions of the Supreme Court, during the years 1868, 1869 and 1870.

Very respectfully,

ROBERT K. SCOTT, Governor.

COMMUNICATION.

The PRESIDENT laid before the Senate the following Communication:

OFFICE OF THE ATTORNEY GENERAL,
COLUMBIA, S. C., March 3, 1871.

To Hon. A. J. Ransier, President of the Senate:

DEAR SIR: I learn that the fact that my name appears in the Bill known as the "Sterling Funding Bill," as one of the persons charged with the execution of its provisions, has been made the occasion of unfavorable criticism, and even distinct aspersions upon me and my official integrity.

My official and personal self-respect both compel me to request that your honorable body will, whenever the Bill shall reach the Senate, at once strike my name from the Bill.

Always ready to serve my party and the public. I will never voluntarily accept a duty for the honest and faithful discharge of which I am deemed unfit.

Very respectfully,

Your obedient servant,

D. H. CHAMBERLAIN,

Attorney General.

On motion of Mr. WHITTEMORE, the Communication was received as information, and ordered to be entered on the Journal of the Senate.

REPORTS OF COMMITTEES.

Mr. HAYES, from the Committee on Claims, to whom was referred the account of F. J. McMaken, for losses sustained in the service of the State as State Constable, reported back the same, with a recommendation that the account be rejected.

Ordered for consideration to-morrow.

Mr. NASH, from the Committee on Contingent Accounts and Expenses of the Senate, to whom was referred the account of the Columbia Gas Light Company, reported back the same, with a recommendation that the account be paid.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to authorize the County Commissioners of Spartanburg, Greenville' Pickens and Oconee, and the authorities of certain Towns in those Counties, to provide means to meet interest on certain bonds;

A Bill declaring the right of way across the Savannah and Charleston Railroad ;

A Bill authorizing and empowering James C. Rundlett to establish a wharf in the Town of Beaufort.

The above Bills received their third reading, passed ;

Ordered, That the titles thereof be changed to that of Acts, and that they be enrolled for ratification.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to renew and amend the charters of certain Religious Associations heretofore granted ;

A Bill to amend an Act entitled "An Act to incorporate the Homestead Building, Planting and Loan Association, of South Carolina ;"

A Bill to authorize Henry C. Lancaster, Smith Howe and Henry A. Towles to collect wharfage and storage ;

A Bill to provide for Teachers' Institutes ;

A Bill to incorporate the Columbia, Walterboro and Yemasee Railroad Company ;

A Bill to incorporate and recharter certain Religious Institutions.

A Bill to incorporate certain Religious Institutions.

The above Bills received their third reading, passed ;

Ordered, That the titles thereof be changed to that of Acts, and that they be enrolled for ratification.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Joint Resolution to authorize the County Commissioners of Kershaw County to levy a special tax for the purpose of building a County Jail ;

Joint Resolution to confirm the apportionment made by the Superintendent of Education, of the State of South Carolina, for the fiscal year ending October 31, 1869.

The above Joint Resolutions received their third reading, passed ;

Ordered, That they be enrolled for ratification.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to charter the town of Chesterfield ;

A Bill to incorporate the Brewer Gold Mining Company, of South Carolina ;

The above Bills received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed,

A Bill to establish a causeway over Big Saltkahatchie Swamp, at Walnut Point, connecting the Counties of Colleton and Beaufort ;

A Bill to amend an Act entitled "An Act to revise, simplify and abridge the Rules, Practice, Pleadings and Forms of the Courts in this State;"

A Bill to amend an Act entitled "An Act providing for the assessment and taxation of property," passed 15th September, 1868, and all Acts amendatory thereto;

A Bill to incorporate the Waccamaw and Little River Canal Company;

Joint Resolution to extend the time for the completion of the Port Royal Railroad.

The above Bills and Joint Resolution received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Bill to provide for the appointment of a Supervisor of State House and Grounds.

The Bill received its third reading.

Mr. NASH moved that the Bill be recommitted to the Committee on Public Buildings.

The motion of the Senator from Richland was not agreed to.

The question was then taken on agreeing to the passage of the Bill, and decided in the affirmative.

Ordered, That it be sent to the House of Representatives.

Joint Resolution to provide for the publication of Volumes X, XI, XII, XIII and XIV of the Statutes of the State, and the Journals of the General Assembly, Special Session of 1868.

The Joint Resolution received its second reading.

Mr. SMALLS, in accordance with previous notice, moved to amend Section 2 by the addition of the following proviso:

"Provided, That all accounts for said work shall be first audited by the State Auditor."

Pending debate, participated in by Messrs. Smalls, Hayne, Nash,

The PRESIDENT announced the hour arrived for the consideration of the

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day at 1 P. M., to wit:

Bill to create a sinking fund for the payment of the principal of the public debt of South Carolina.

On motion of Mr. SMALLS, the further consideration of the Special

Order was postponed until the disposal of the matter previously under consideration.

The Senate resumed the consideration of

Joint Resolution to provide for the publication of Volumes X, XI, XII, XIII and XIV of the Statutes of the State, and the Journals of the General Assembly, Special Session of 1868.

The question recurred on agreeing to the amendment of the Senator from Beaufort.

After further debate, participated in by Messrs. Smalls, Nash, Whittemore,

On the question of agreeing to the amendment,

Mr. SMALLS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. McIntyre, Smalls.—2.

Nays—Messrs. Arnim, Barber, Burroughs, Beckman, Cardozo, Clinton, Duvall, Foster, Greene, Hayes, Holcombe, Hollinshead, Johnston, Leslie, Maxwell, Nash, Owens, Rose, Swails, Whittemore.—20.

So the Senate refused to agree to the amendment of the Senator from Beaufort.

Mr. SMALLS moved to amend Section 1 by striking out the numeral "X," and the words "and five hundred copies of the Journals of the Special Session of the General Assembly of 1868."

The question was taken on agreeing to the amendment of the Senator from Beaufort, and decided in the affirmative.

The Resolution, as amended, passed, and was ordered to be sent to the House of Representatives.

Bill to incorporate the Claflin University and the State Agricultural College of South Carolina.

The Bill received its third reading.

Mr. CORBIN moved that the Bill be recommitted to the Committee on Education.

Pending debate,

The PRESIDENT ruled debate on a motion to recommit on the third reading of a Bill out of order, but desired on this ruling an expression of the sense of the Senate.

Mr. CORBIN appealed from the decision of the Chair.

On the question, "Shall the decision of the Chair be sustained?"

Mr. JOHNSTON called for the yeas and nays

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Barber, Hayne, Johnston, Leslie, Maxwell, McIntyre, Owens, Rose, Swails, Whittemore.—10.

Nays—Messrs. Allen, Arnim, Bieman, Burroughs, Beckman, Cardozo,

Clinton, Corbin, Dickson, Duvall, Foster, Gaillard, Greene, Holcombe, Montgomery, Nash, Wilson.—17.

So the decision of the Chair was not sustained.

Pending further debate, participated in by Messrs. Corbin, Whittemore, Leslie,

The PRESIDENT announced the hour arrived for the consideration of the

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 2 P. M., to wit:

Bill to grant, renew and amend the charters of certain towns and villages therein mentioned.

On motion of Mr. JOHNSTON, the further consideration of the Special Order was postponed until the disposal of the matter previously under consideration.

The Senate resumed the consideration of

Bill to incorporate the Claflin University, and the State Agricultural College of South Carolina.

The question recurred on agreeing to the motion of the Senator from Charleston, that the Bill be recommitted to the Committee on Education.

After further debate, participated in by Messrs. Corbin, Leslie, Whittemore, Hayne, Duvall, Johnston, Allen,

On the question of agreeing to the motion of the Senator from Charleston,

Mr. ALLEN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Arnim, Bieman, Burroughs, Beckman, Corbin, Duncan, Duvall, Foster, Greene, Holcombe, Montgomery, Rose, Wilson—14.

Nays—Messrs. Barber, Cardozo, Clinton, Dickson, Gaillard, Hayes, Hayne, Hollinshead, Johnston, Leslie, Maxwell, McIntyre, Nash, Smalls, Swails, Whittemore—16.

So the Senate refused to recommit the Bill.

On the question of passing the Bill, and ordering it to be sent to the House of Representatives,

Mr. DUVALL called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Barber, Cardozo, Clinton, Dickson, Gaillard, Greene, Hayes, Hayne, Hollinshead, Johnson, Leslie, Maxwell, Montgomery, McIntyre, Nash, Smalls, Swails, Whittemore—18.

Nays—Messrs. Allen, Arnim, Bieman, Burroughs, Beckman, Corbin, Duncan, Duvall, Foster, Holcombe, Rose, Wilson—12.

So the Bill passed, and was ordered to be sent to the House of Representatives.

Mr. CORBIN gave notice that he would ask leave to file his protest, to be entered on the Journal, against the passage of the above Bill.

A Bill to amend Section 22 of the Code of Procedure.

The Bill received its third reading.

Mr. WHITTEMORE, in accordance with previous notice, moved to amend by the adoption of the following Section :

“SEC. 5. Section 18 of the Act mentioned in the third Section of this Act is hereby amended so as to read as follows: “The Court of General Sessions at Orangeburg, County of Orangeburg, on the first Monday of January, May and October; and the Court of Common Pleas at Orangeburg, in the County of Orangeburg, on the first Wednesday after the first Monday of January, May and October.

“SEC. 6. That all writs and processes which shall have been made returnable to the Courts of any of the said Counties, according to the laws heretofore of force, shall be legal and valid, to all intents and purposes, for the Courts next to be held in the said Counties, respectively, according to the provisions of this Act; and all persons already summoned, or who may hereafter be summoned to attend the Courts of any of the said Counties, as jurors or witnesses, or who are now, or herereafter shall be bound in recognizance to appear at any of the said Courts, according to the laws heretofore of force, shall be, and are hereby, required to attend or appear at the Courts of the said Counties, respectively, next to be held according to the provisions of this Act.”

The question was taken on agreeing to the amendments, and decided in the affirmative.

The Bill, as amended, passed, and was ordered to be sent to the House of Representatives.

Bill to amend an Act entitled “An Act to revise, simplify and abridge the rules, practice, pleadings and forms of the Courts in this State;”

Bill to amend an Act entitled “An Act for the better protection of migratory fish.”

The above Bills received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. HAYNE, from the Committee on Education, to whom was referred the claim of G. D. Williams, [of Anderson County, for services rendered as teacher, reported back the same, with a recommendation that the claim be paid.

On motion of Mr. HAYNE, the Rule was suspended, and the Report considered immediately.

The question was taken on agreeing to the Report, and decided in the affirmative.

Ordered, That it be sent to the House of Representatives for concurrence.

SPECIAL ORDER.

The Senate resumed the consideration of the Special Order for this day, at 1 P. M., to wit:

Bill to create a sinking fund for the payment of the principal of the public debt of South Carolina.

On motion of Mr. SWAILS, the further consideration of the Special Order was postponed, and made the Special Order for to-morrow, at 1 P. M.

On motion of Mr. SWAILS, the consideration of the Special Order for this day at 2 P. M., was discharged, and made the Special Order for to-morrow, at 2 P. M.

RESOLUTIONS.

Mr. NASH introduced the following Resolution:

Be it resolved by the Senate of the State of South Carolina, the House of Representatives concurring:

SECTION 1. That the Governor of this State be, and he is hereby, authorized and required to transfer to the Superintendent of the Penitentiary, for the use and benefit of said Penitentiary, all that piece or parcel of land, situate in the County of Richland, and bounded on the north, south, east and west by lands of Jacob Geiger. And also, all that other piece or parcel of land, situate in said County, and bounded as follows: On the north, by lands of William Klapman, on the east, by the "Columbia Canal," on the west, by the river, and running south to the location of the dam authorized to be constructed by the purchasers of the "Columbia Canal," above "Geiger's Mill."

SEC. 2. Said land to be used for farming purposes connected with the Penitentiary.

On motion of Mr. HAYNE, the Rule was suspended, and the Resolution considered immediately.

On motion of Mr. ARNIM, the further consideration of the above Resolution was postponed, and made the Special Order for to-morrow, at 2 P. M.

Mr. SWAILS introduced the following Resolution:

Resolved, That when the Senate adjourns it stand adjourned to meet this day at 7:30 P. M.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

GENERAL ORDERS.

The Senate proceeded to the consideration of General Orders on the Calendar.

Mr. BIEMAN moved to take up, out of its order,

Report of the Committee on Incorporations on Bill to amend and extend the charter of the Planters' and Mechanics' Bank, of South Carolina.

Mr. SWAILS moved, as an amendment, that the Senate proceed to the consideration of

Report of the Committee on Railroads on Bill relating to the Greenville and Columbia Railroad Company.

The amendment of the Senator from Williamsburg was agreed to.

On motion of Mr. CORBIN, the consideration of the above Report and Bill was suspended, to take up

Bill to charter the Yemasee and Millen Railroad Company.

On motion of Mr. CORBIN, the Bill was read by its title, and referred to the Committee on Railroads.

The Senate resumed the consideration of

Report of the Committee on Railroads on Bill relating to the Greenville and Columbia Railroad Company.

The Report and Bill were taken up for consideration.

Mr. ARNIM moved that the further consideration of the Report and Bill be made the Special Order for this day at 7:30 P. M.

On division, the Senate voted yeas, 7; nays 10.

So the motion of the Senator from Edgefield was not agreed to.

Mr. NASH moved that the further consideration of the Report and Bill be made the Special Order for this day at 8 P. M.

Pending the consideration of the motion of the Senator from Richland.

Mr. CORBIN moved that the Senate adjourn.

On the question of agreeing to the motion of the Senator from Charleston.

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas--Messrs. Arnim, Barber, Beckman, Clinton, Corbin, Duncan, Duvall, Foster, Gaillard, Greene, Holcombe, McIntyre, Owens, Swails, Whittemore, Wilson.—16.

Nays--Messrs. Allen, Bieman, Burroughs, Cardozo, Hayes, Maxwell, Nash.—7.

So the Senate, at 3:10 P. M., adjourned to 7:30 P. M.

EVENING SESSION.

The Senate re-assembled, at 7:30 P. M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

UNFINISHED BUSINESS.

The Senate resumed the consideration of the Report of the Committee on Railroads on Bill relating to the Greenville and Columbia Railroad.

On motion of Mr. ARNIM, the further consideration of the Report and Bill was postponed until the appearance of the acting Chairman of the Committee on Railroads in his seat.

GENERAL ORDERS.

On motion of Mr. LESLIE, the Senate proceeded to the consideration, out of its order, of

Bill to authorize and require the County Commissioners of Barnwell County to establish a road from Blackville to Allendale.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

REPORTS OF COMMITTEES.

Mr. SWAILS, from the Committee on Railroads, to whom was referred a Bill to charter the Yemasee and Millen Railroad Company, in the State of South Carolina, reported back the same, with a recommendation that the Bill do pass.

Ordered for consideration to-morrow, and to be printed.

UNFINISHED BUSINESS.

The Senate resumed the consideration of

Report of the Committee on Railroads on Bill relating to the Greenville and Columbia Railroad Company.

The Report and Bill were taken up together for consideration.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On the question of agreeing to the amendments recommended by the Committee on Railroads, to wit:

Section 3, third line, between the words "to" and "Asheville," insert the following words: "to Knoxville, Tennessee, and to." After "North Carolina," in sixth line, insert "and Tennessee." Between "to" and "Asheville," on the eighth line, insert "Knoxville and to,"

It was determined in the affirmative.

On motion of Mr. LESLIE, Section 3 was further amended by striking out in the tenth line, the word "ten," and inserting in lieu thereof the word "five."

On motion of Mr. GREENE, Section 3 was further amended by striking out, in the ninth line, the word "seven," and inserting in lieu thereof the word "five."

On the question of agreeing to the amendment recommended by the Committee, to wit:

Strike out Section 4, and insert the following:

SEC 4. That in view of the consolidation of the Greenville and Columbia Railroad Company and the Blue Ridge Railroad Company, the action of the said Blue Ridge Railroad Company in making the bonds aforesaid, and of the Comptroller General of the State in endorsing the same, and thereby pledging the faith and funds of the State to the payment of said bonds, is hereby ratified and confirmed; and that the making and execution by said Blue Ridge Railroad Company and said other Companies of the mortgage aforesaid to Henry Clews, Henry Gourdin and George S. Cameron, to secure the payment of the bonds aforesaid, is also ratified and confirmed, and said mortgage is declared to be a lien prior to that of the State, on all property described in said mortgage, and on the entire line of the road aforesaid, and on all the properties of said several Companies, or which they, or either of them, may hereafter acquire; but nothing in this Act contained shall be construed to divest the State of its lien on the estate and property of the said several Railroad Companies, or of either of them, for its endorsement of the bonds aforesaid, but said lien is postponed to and declared to be subject and subordinate to that of the mortgage, hereinbefore mentioned, to Henry Clews, Henry Gourdin and George S. Cameron, Trustees,

After debate, participated in by Messrs. Leslie, Swails, Whittemore,

On motion of Mr. WHITTEMORE, the amendment was amended by striking out, in the fourth line, the word "aforesaid," and inserting in lieu thereof the words "authorized under the Act of September 15th, 1868."

On the question of agreeing to the amendment of the Committee, to wit:

Strike out Section six, and insert the following:

SEC. 6. The following clause in Section 2 of the Act of September 15, 1868, to authorize additional aid to the Blue Ridge Railroad Company,

in South Carolina, viz: "*And further provided, That the said bonds, or any part thereof, shall not be used, unless upon the express condition that upon application to the Congress of the United States, or to private capitalists, the amount of three millions of dollars in currency, or so much of that sum as may be necessary, shall be furnished in exchange, or upon the security of said bonds,*" is hereby repealed,

After debate, participated in by Messrs. Whittemore, Leslie, Swails, It was determined in the affirmative.

On the question of agreeing to the amendment of the Committee to Strike out Section 7 and insert the following :

SEC. 7. That after the consolidation of the Greenville and Columbia Railroad Company with the Blue Ridge Railroad Company, the bonds now held by the Greenville and Columbia Railroad Company and the Blue Ridge Railroad Company, shall be endorsed by the consolidated Company,

It was determined in the affirmative.

On the question of agreeing to the amendment of the Committee, in Section 8, first line, to strike out the words "said Greenville and Columbia Railroad," and insert "consolidated ;" strike out on second line the words "twelve months," and insert "two years,"

It was determined in the affirmative.

On the question of agreeing to the amendment recommended by the Committee, to Section 9, by inserting in first line between the words "Company" and "shall," the words "and Blue Ridge Railroad Company,"

It was determined in the affirmative.

On motion of Mr. SWAILS, Section 9 was further amended, in line two, by striking out the words "and body," and inserting in lieu thereof, the word "bodies "

On the question of agreeing to the amendment recommended by the Committee to strike out Section 10, and change numbers of Sections 11 and 12, so as to make them 10 and 11, it was determined in the affirmative.

On the question of agreeing to the amendment of the Committee to change the title of the Bill so as to read, "A Bill to promote the consolidation of the Greenville and Columbia Railroad Company and the Blue Ridge Railroad Company," it was determined in the affirmative.

On motion of Mr. SWAILS, the vote whereby the Senate agreed to Section 9 of the Bill was reconsidered.

On motion of Mr. SWAILS, Section 9 was amended, in the second line, by striking out the word "bodies," and inserting in lieu thereof, the words "and body."

Mr. LESLIE moved that the enacting clause of the Bill be stricken out.

On the question of agreeing to the motion of the Senator from Barnwell,

Mr. DUVALL called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Corbin, Dickson, Duvall, Foster, Montgomery, Smalls, Whittemore—7.

Nays—Messrs. Allen, Arnim, Barber, Bieman, Burroughs, Beckman, Cardozo, Clinton, Duncan, Gaillard, Greene, Hayes, Holcombe, Hollinshead, Johnston, Leslie, Maxwell, McIntyre, Nash, Owens, Rose, Swails, Wilson, Wimbush—24.

So the Senate refused to strike out the enacting clause of the Bill.

On the question of agreeing to the Bill, and ordering it to be engrossed for a third reading,

Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Arnim, Barber, Bieman, Burroughs, Beckman, Cardozo, Clinton, Duncan, Gaillard, Greene, Hayes, Holcombe, Hollinshead, Johnston, Leslie, Maxwell, McIntyre, Nash, Owens, Rose, Smalls, Swails, Wimbush—24.

Nays—Messrs. Corbin, Dickson, Duvall, Foster, Montgomery, Whittemore, Wilson—7.

So the Bill was ordered to be engrossed for a third reading.

GENERAL ORDERS.

The Senate proceeded to the consideration of General Orders.

On motion of Mr. SWAILS, the Senate proceeded to the consideration, out of its order, of

Bill (House) to charter the North-Western Railroad in the State of South Carolina.

On motion of Mr. SWAILS, the Bill was read by its title, and referred to the Committee on Railroads.

On motion of Mr. NASH, the Senate proceeded to the consideration, out of its order, of

Bill to incorporate the Union Saving Society's Bank.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

BILLS INTRODUCED.

Mr. LESLIE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to protect the interest of the State wherever payment of interest now due remains unpaid, as bonds issued by any Railroad, and whereon the guarantee of the State is endorsed ;

A Bill to incorporate the Continental Telegraph Company ; .

A Bill to establish the Charleston Charitable Association, of the State of South Carolina, for the benefit of the Free School Fund.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Joint Resolution authorizing the State Auditor and County Commissioners to levy certain taxes.

The Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. McINTYRE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Joint Resolution authorizing the State Treasurer to pay L. A. Bigger a sum of \$12,000, and for other purposes.

The Joint Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

On motion of Mr. SMALLS, it was

Resolved, That when the Senate adjourn it shall stand adjourned to meet to-morrow, at 10 A. M.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,

Bill to create a debt of the State of South Carolina, to be known as the Sterling Funded Debt, the same, or the proceeds thereof, to be exclusively used for, or in payment of, the existing public debt of said State.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

The House returned, with amendments,

Bill to make appropriations for the payment of the per diem and mileage of the members of the General Assembly, and the subordinate officers, and other expenses incidental thereto.

On motion of Mr. SWAILS, the further consideration of House amendments to the above Bill was made the Special Order for to-morrow, at 11:30 A. M.

JOURNAL OF THE SENATE,
GENERAL ORDERS.

The Senate resumed the consideration of General Orders.

On motion of Mr. CARDOZO, the Senate proceeded to the consideration, out of its order, of

Bill (House) to incorporate the Camden Steam Mill Company.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. GAILLARD, the Senate proceeded to the consideration, out of its order, of

Joint Resolution, authorizing the State Treasurer to re-issue stock of the State of South Carolina.

The Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That it be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Bill (House) to fund the *nulla bona* claims of Sheriffs and Ex-Tax Collectors.

On motion of Mr. WHITTEMORE, the Bill was read by its title, and referred to the Committee on the Judiciary.

Mr. HAYNE moved that the vote, whereby the above Bill was referred to the Committee on the Judiciary, be re-considered.

Mr. NASH moved that the motion of the Senator from Marion be ordered to lie on the table.

On the question of agreeing to the motion of the Senator from Richland,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Barber, Beckman, Cardozo, Duncan, Duvall, Greene, Hayes, Hollinshead, Leslie, Maxwell, McIntyre, Nash, Owens, Smalls, Swails, Whittemore, Wilson, Wimbush.—19.

Nays—Messrs. Bieman, Burroughs, Clinton, Hayne, Holcombe, Johnston.—6.

So the motion for reconsideration was ordered to lie on the table.

On motion of Mr. MCINTYRE, the Senate proceeded to the consideration of

Bill (House) to re-charter the Cypress Causeway.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments.

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr NASH, the Senate proceeded to the consideration, out of its order, of

Joint Resolution (House) directing State Treasurer to refund to Messrs. Risley and Creighton six hundred and three dollars and seventy-eight cents, taxes overpaid by them.

The Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That the Resolution be engrossed for a third reading.

On motion of Mr. JOHNSTON, the Senate proceeded to the consideration, out of its order, of

Bill to amend an Act entitled "An Act to grant, renew and amend the charters of certain towns and villages therein mentioned."

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, at 9:30 P. M., the Senate adjourned.

SATURDAY, MARCH 4, 1871.

Pursuant to adjournment, the Senate assembled at 10 A. M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business

Prayer by the Chaplin.

On motion of Mr. SWAILS, the reading of the Journal of yesterday was dispensed with.

RESOLUTIONS.

Mr. HAYNE introduced the following Resolution :

Resolved, That so much of Rule 39 as requires that Reports of Committees shall lie on the table one day for consideration, be suspended for the remainder of the session.

On motion of Mr. HAYNE, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Mr. LESLIE introduced the following Resolution :

Resolved, That when the Senate adjourns, it shall stand adjourned to meet this day at 7:30 P. M.

The Resolution was considered immediately and agreed to.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent of the Senate,

Bill to amend and extend the charter of the Planters' and Mechanics' Bank, of South Carolina, and for other purposes therein named ;

A Bill to establish the Charleston Charitable Association of the State of South Carolina, for the benefit of the free school fund.

The above Bills received their first reading, were ordered for a second reading and consideration on Monday next, and to be printed.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., March 3, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that it insists upon its refusal to concur in Senate amendments, as noted in previous message, to a Bill to regulate the manner of drawing juries, and, in order to expedite the passage of the Bill, again requests a Committee of Free Conference.

Very respectfully,

F. J. MOSES, Jr.,
Speaker House of Representatives.

On motion of Mr. SMALLS, the request was agreed to, and a message sent to the House of Representatives accordingly.

Messrs. Corbin and Clinton were appointed Committee on part of the Senate.

The House also sent to the Senate the following messages :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., March 4, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that a Concurrent Resolution from your House to authorize the

State Treasurer to pay to Hon. R. H. Graham, amount of undrawn appropriations for Judge of the First Judicial Circuit for the fiscal year ending October 31st, 1871, and October 31st, 1872, has been laid on the table in this House.

Very respectfully,

F. J. MOSES, JR.,
Speaker of the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., March 4, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that it has adopted the report of the Committee of Conference on disagreement to Senate amendments on a Bill to make appropriations and raise supplies for the year commencing November 1, 1870.

Very respectfully,

F. J. MOSES, JR.,
Speaker of the House of Representatives.

Ordered, That the title of the above Bill be changed to that of an Act, and that it be enrolled for ratification.

The House also sent to the Senate,

Report of House Committee on Claims on the accounts of E. Cain and others.

On motion of Mr. HAYNE, the Report was referred to the Committee on Claims.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No. 60, from His Excellency the Governor, was presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Message related to Executive Business.

REPORTS OF COMMITTEES.

Mr. SWAILS, from the Committee on Railroads, to whom was referred a Bill to charter the Northwestern Railroad Company, in the State of South Carolina, reported back the same, with a recommendation that the Bill do pass.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification,

An Act to change the name of the Gap Creek and Middle Saluda Turnpike Company, and to amend and renew the charter thereof;

An Act to alter and amend an Act entitled, "An Act to alter and amend the charter of the city of Greenville;"

An Act to amend the charter of the German Evangelical Lutheran Church, of Charleston ;

Joint Resolution authorizing the Attorney General to purchase a fire proof safe for the use of the Attorney General's office ;

Joint Resolution authorizing the County Commissioners of Lancaster County to levy a special tax

Joint Resolution making an appropriation of forty-seven thousand dollars for the completion of the State Lunatic Asylum, and for other purposes

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the above Acts and Joint Resolutions.

Mr. WHITTEMORE, from the Committee on Conference, submitted the following

REPORT:

The Committee, on the part of the Senate, appointed to meet conferees on the part of the House, to consider the disagreement of the House of Representatives to the Senate amendments to a Bill to make appropriation and raise supplies for the year commencing November 1, 1870, have attended to their duty, and beg leave to report that the Senate amendments have been concurred in, except the following:

Section 1, line thirty-two, "for additional clerical services, five hundred dollars," which relates to the Auditor of the city of Charleston.

Section 2, lines one and two, where the Senate strikes out "twenty-five," and inserts "fifteen," which relates to the Governor's contingent fund.

Section 5, line two, where the Senate strikes out "eighty" and inserts "sixty" which relates to the construction of the Penitentiary.

Section 7, the striking out of the Military Department.

Your Committee, therefore, recommend that the Senate recede from its action in the foregoing amendments, and that five hundred dollars be allowed the Auditor of the city of Charleston for additional clerical services.

That \$20,000 be allowed the Governor for his contingent fund.

That eighty thousand dollars be allowed for constructing the Penitentiary.

That Section 7, in the original Bill, be restored, and that ten thousand dollars be allowed for military expenses.

The Committee further recommend that Section 6 be amended by the addition of the following: "For purposes indicated in the seventh Section of Act approved March 9, 1869."

B. F. WHITTEMORE,
Chairman Committee.

The question was taken on agreeing to the Report, decided in the affirmative, and a message sent to the House of Representatives accordingly.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred the matter of the residence of Judge Thomas within his Circuit, submitted the Report of that Committee, accompanied by the testimony and statement, "that Judge Thomas has not complied with the requirements of the Constitution, and during his continuance in office has not resided in the Sixth Circuit, of which he is Judge."

The question was taken on agreeing to the Report, decided in the affirmative, and the Report ordered to be printed.

Mr. CORBIN, from the Committee on Privileges and Elections, to whom was referred the matter of R. H. Cain, contestant, versus Samuel E. Gaillard, contestee, for a seat as Senator from Charleston County, submitted the Report of that Committee that the cause is not in condition to be passed upon finally by the Committee, or the Senate, and the recommendation that the Senate agree to the following Resolution:

Resolved, That in the case of R. H. Cain, contestant, against S. E. Gaillard, contestee, the contestant be allowed ten days' time to serve a copy of his grounds of contest on the contestee, and that the contestee be allowed ten days' time after the service thereof, to answer the same.

2. That after the expiration of the time given to said Gaillard to answer (whether he has answered or not) that the said Cain do give said Gaillard five days' notice of the time, place, and before whom he, said Cain, will proceed to take testimony for the purpose of establishing the facts alleged in his grounds of contest. That a similar notice be served upon said Gaillard, of each and every place where testimony is proposed to be taken.

3. That after the testimony shall have been announced to be closed by said Cain on his part, the said Gaillard shall, if he so desire, proceed, on similar notice to that required to be given by the contestant, to take testimony to sustain the allegation of the answer on his part.

If said Gaillard shall not proceed to take testimony in reply within ten days after the said Cain has announced the testimony on his part

closed, he shall be considered as having waived his right to take testimony. The testimony on the part of said Gaillard, shall be closed in fifteen days after the commencement of the taking thereof, unless further time be granted him by the Senate.

4. That the testimony may be taken before any officer authorized by law to take depositions, and the same shall be duly sealed up by him, and directed to the Chairman of the Committee on Privileges and Elections of the Senate, endorsed, so as to indicate the contents, across the seal of the envelope.

The Report was agreed to, and ordered to be printed.

Mr. HAYES, from the Medical Committee of the Senate, to whom was referred the Report of House Medical Committee on the account of Dr. W. R. Jones, reported back the same, with a recommendation that the Senate concur.

The question was taken on agreeing to the Report, and decided in the affirmative.

Ordered, That the account be returned to the House of Representatives.

Mr. HAYES, from the Committee on Claims, to whom was referred the account of C. M. Wiggins, for dieting prisoners confined in the County jail of Marion, reported back the same, with a recommendation that, as the account belongs to that class of claims known as Contingent Accounts, the whole matter be referred to the Comptroller-General, for his approval.

The question was taken on agreeing to the Report, decided in the affirmative, and the account accordingly referred to the Comptroller-General.

Mr. HAYES, from the Committee on Claims, to whom was referred the Report of the House Committee on account of William Kennedy, claiming payment of a reward offered by His Excellency the Governor, for the arrest and delivery of one Thomas R. Lannier, charged with the crime of murder, reported back the same, with the request that, as the claim appears to have been founded upon contract between the claimant and His Excellency the Governor, and the Committee do not feel justified in recommending any interference in the matter, they be discharged from its further consideration.

The question was taken upon agreeing to the Report, and decided in the affirmative.

Mr. HAYES, from the Committee on Claims, to whom was referred Report of House Committee on Claims on the account of L. S. Langley, reported back the same, with a recommendation that the account be rejected.

On the question of agreeing to the Report,

After debate, participated in by Messrs. Smalls, Nash, Whittemore, Corbin.

Mr. SMALLS moved that the Senate Report be laid upon the table, and the House Report, recommending payment of the claim, be taken up for consideration.

On the question of agreeing to the motion of the Senator from Beaufort,

On division, the Senate voted, yeas, 10 ; nays, 7.

So the Senate Report was ordered to lie on the table, and the House Report taken up for consideration.

Mr. WHITTEMORE moved that the further consideration of the House Report be indefinitely postponed.

After debate, participated in by Messrs. Smalls, Whittemore, Corbin, Hayne, Johnston, Nash, Maxwell, McIntyre,

On the question of agreeing to the motion of the Senator from Darlington,

Mr. SMALLS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs Barber, Bieman, Burroughs, Beckman, Cardozo, Corbin, Dickson, Duncan, Duvall, Foster, Greene, Hayes, Holcombe, Leslie, Maxwell, Nash, Owens, Rose Whittemore, Wilson—20.

Nays—Messrs. Arnim, Hayne, Hollinshead, Johnston, McIntyre, Smalls, Swails, Wimbush.—8.

So the further consideration of the Report was indefinitely postponed, and a message sent to the House of Representatives accordingly.

Mr. GREENE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to promote the consolidation of the Greenville and Columbia Railroad Company and the Blue Ridge Railroad Company.

The Bill received its third reading.

On the question of agreeing to the passage of the Bill,

Mr. DUVALL called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Barber, Bieman, Burroughs, Beckman, Cardozo, Clinton, Duncan, Gaillard, Greene, Hayes, Hayne, Hollinshead, Johnston, Leslie, Maxwell, McIntyre, Nash, Owens, Rose, Smalls, Swails, Wimbush.—23.

Nays—Messrs. Corbin, Dickson, Duvall, Foster, Whittemore, Wilson.—6.

So the Bill passed, and was ordered to be returned to the House of Representatives, with Senate amendments.

JOURNAL OF THE SENATE,
PETITIONS, &c.

Mr. WHITTEMORE presented the following communication :

COLUMBIA, S. C., March 4, 1871.

To the President and Members of the Senate of South Carolina.

GENTLEMEN: I am entirely too unwell to attend your summons to-day. If the emergency is so great that the matter cannot be deferred, such is my indisposition that I must ask you to do me, in my absence, that justice which I have always tried to give others.

Very respectfully,

Your obedient servant,

WM. M. THOMAS.

On motion of Mr. WHITTEMORE, the communication was received as information.

GENERAL ORDERS.

The Senate proceeded to the consideration of General Orders on the Calendar.

On motion of Mr. LESLIE, the Senate proceeded to the consideration, out of its order, of

Bill (House) to create a debt of the State of South Carolina, to be known as the Sterling Funded Debt, the same, or the proceeds thereof, to be exclusively used in exchange for, or in payment of, the existing public debt of said State.

On motion of Mr. LESLIE, the Bill was read by its title and referred to the Committee on Finance.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Joint Resolution authorizing the State Auditor and County Commissioners to levy certain taxes.

The Resolution received its second reading, and was considered as in Committee of the Whole.

Mr. HAYNE moved to amend in the fifth line by striking out the word "seven" and inserting in lieu thereof the word "five."

Pending debate, participated in by Messrs. Hayne, Whittemore, Corbin, Arnim,

The PRESIDENT announced the hour arrived for the consideration of the

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 11:30 A. M., to wit:

House amendments to Senate Bill to make appropriations for the payment of the per diem and mileage of the members of the General Assembly, and the subordinate officers, and for other expenses incidental thereto.

On motion of Mr. WHITTEMORE the further consideration of the Special Order was postponed until the disposal of the matter previously under consideration.

GENERAL ORDERS.

The Senate resumed the consideration of

Joint Resolution authorizing the State Auditor and County Commissioners to levy certain taxes.

The question recurred on agreeing to the amendment of the Senator from Marion, to strike out the word "seven," and insert in lieu thereof the word "five."

After debate, participated in by Messrs. Whittemore, Hayne, Corbin, Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Barber, Bieman, Beckman, Corbin, Dickson, Duncan, Duvall, Foster, Gaillard, Greene, Hayes, Hayne, Holcombe, Hollinshead, Johnston, Maxwell, McIntyre, Nash, Owens, Smalls, Wilson, Wimbush.—22.

Nays—Messrs. Cardozo, Whittemore.—2.

So the amendment of the Senator from Marion was agreed to.

On motion of Mr. CORBIN, the Resolution was further amended by inserting after the word "year" the words "commencing November 1st."

Mr. LESLIE moved to further amend the Resolution by the addition of the following: "except the County of Barnwell, which is hereby authorized to levy and collect a tax of three mills on the dollar."

Mr. SMALLS moved to amend the amendment by inserting after the word "Barnwell" the word "Beaufort."

The amendment to the amendment was accepted

The question recurred on agreeing to the amendment of the Senator from Barnwell, as amended.

Mr. CORBIN moved that the Resolution be further amended by striking out in the eighth line the word "three" and inserting in lieu thereof the words "one and a half," so as to read, "the County Commissioners of the several Counties in the State are hereby authorized to levy and cause to be collected a tax not to exceed one and a half mills on the dollar."

Mr. HAYNE moved that the further consideration of the amendment of the Senator from Charleston be indefinitely postponed.

On the question of agreeing to the motion of the Senator from Marion, Mr. CORBIN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Cardozo, Clinton, Duncan, Duvall, Greene, Hayne, Hollinshead, Johnston, Leslie, McIntyre, Nash, Owens, Smalls, Whittemore.—15.

Nays—Messrs. Barber, Bieman, Beckman, Corbin, Foster, Gaillard, Hayes, Holcombe, Maxwell, Wilson, Wimbush.—11.

So the further consideration of the amendment of the Senator from Charleston was indefinitely postponed.

Mr. CORBIN moved to amend, in the eighth line, by striking out the word "three," and inserting in lieu thereof the word "two."

The question was taken on agreeing to the amendment of the Senator from Charleston, and decided in the affirmative.

On the question of agreeing to the amendment of the Senator from Barnwell, as amended,

Mr. HAYNE moved to amend the amendment, by inserting after the word "Beaufort" the words "and Marion."

The question was taken upon agreeing to the amendment to the amendment, and decided in the negative.

On the question of agreeing to the amendment,

Mr. SMALLS called for the yeas and nays.

The call for the yeas and nays was withdrawn.

The question was then taken on agreeing to the amendment of the Senator from Barnwell, and decided in the negative.

There being no further amendments,

Ordered, That the Resolution be engrossed for a third reading.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Joint Resolution (House) directing the State Treasurer to refund to Messrs. Risley & Creighton six hundred and three dollars and seventy-eight cents—taxes overpaid by them.

The Joint Resolution received its third reading, passed;

Ordered, That it be enrolled for ratification.

SPECIAL ORDER.

The Senate resumed the consideration of the Special Order for this day at 11:30 A. M.:

House amendments to a Senate Bill to make appropriations for the payment of the per diem and mileage of the members of the General Assembly, and the subordinate officers, and for other expenses incidental thereto.

The question was taken on concurrence in the House amendments and decided in the affirmative.

Ordered, That the title of the Bill be changed to that of an Act, and that it be enrolled for ratification.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders on the Calendar.

On motion of Mr. GAILLARD, the Senate proceeded to the consideration, out of its order, of

Bill (House) to determine the day of election of the Mayor and Aldermen of the city of Charleston.

On motion of Mr. HAYNE, the further consideration of the Bill was made the Special Order for this day, at 8 P. M.

On motion of Mr. SMALLS,

At 12:10 A. M., the Senate adjourned to 7 P. M.

EVENING SESSION.

The Senate re-assembled at 7:30 P. M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M., to-wit:

Message No. 59 of His Excellency the Governor, returning, with his objections, an Act to compel County Treasurers to receive County checks in payment for County taxes and other purposes.

On motion of Mr. WHITTEMORE, the further consideration of the Special Order was postponed for the present.

Mr. WHITTEMORE moved that the Senate proceed to the consideration, out of its order, on the Calendar, of

Report of Committee on Finance on a Bill to provide for a general license law.

The motion of the Senator from Darlington was withdrawn.

On motion of Mr. HAYNE, the consideration of the second Special Order for 1 P. M. was postponed.

The Senate resumed the consideration of the Special Order for this day, at 2 P. M., to-wit:

Concurrent Resolution authorizing the Governor of the State to transfer to the Superintendent of the Penitentiary certain lands.

Mr. ARNIM moved that the Resolution be referred to the Committee on Public Lands.

After debate, participated in by Messrs. Hayne, Corbin, Arnim, Nash, Whittemore,

Mr. WHITTEMORE moved that the further consideration of the Resolution be postponed to the next regular session.

On the question of agreeing to the motion of the Senator from Darlington,

Mr. HAYNE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Bieman, Beckman, Cardozo, Clinton, Corbin, Duncan, Duvall, Gaillard, Greene, Holcombe, Owens, Swails, Whittemore, Wilson, Wimbush—16.

Nays—Messrs. Barber, Hayne, Hollinshead, Johnston, Montgomery, Nash, Smalls—7.

So the further consideration of the Resolution was postponed to the next regular session.

SPECIAL ORDER.

The Senate, on motion of Mr. GAILLARD, proceeded to the consideration of the Special Order for this day, at 8 P. M., to-wit:

Bill (House) to determine the day of election of the Mayor and Aldermen of the city of Charleston.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. ARNIM moved that the Bill be referred to the Committee on the Judiciary.

The motion of the Senator from Edgefield was not seconded.

Mr. LESLIE moved that the enacting clause of the Bill be stricken out.

The motion of the Senator from Barnwell was subsequently withdrawn.

Mr. ARNIM renewed the motion to strike out the enacting clause of the Bill.

After debate, participated in by Messrs. Arnim, Corbin, Leslie, Smalls, Gaillard,

The question was taken on agreeing to the motion of the Senator from Edgefield, and decided in the negative.

There being no amendments,

On the question of agreeing to the Bill, and ordering it to be engrossed for a third reading,

Mr. ARNIM called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Barber, Cardozo, Clinton, Corbin, Gaillard, Greene, Hayne, Hollinshead, Johnston, Maxwell, McIntyre, Nash, Owens, Smalls, Wimbush.—15.

Nays—Messrs. Arnim, Bieman, Beckman, Dickson, Duncan, Duvall Foster, Holcombe, Leslie, Whittemore, Wilson.—11.

So the Bill was agreed to, and ordered to be engrossed for a third reading.

Mr. ARNIM gave notice that on the third reading of the above Bill he would move to make sundry amendments.

COMMUNICATION.

The PRESIDENT laid before the Senate the following communication:

STATE OF SOUTH CAROLINA, SENATE CHAMBER,
COLUMBIA, S. C., March 3, 1871.

To the Honorable President and Senate, State South Carolina:

GENTLEMEN: In looking over a Bill from the House of Representatives, providing for the creation of "A Debt of the State, to be known as the Sterling Funded Debt," now pending in the Senate, I observe that it is provided that the President of the Senate shall be one of a Commission to approve certain appointments to be made under the provisions of said Bill.

While I accept the compliment of the House of Representatives in so far as its action refers to me in connection with a matter of so much moment to the people of South Carolina, for reasons, most satisfactory to myself, involving, possibly, my own independence and integrity of character, I beg leave to say that, against the request of His Excellency the Governor and others, I shall not consent to serve on such Commission.

Very respectfully,

A. J. RANSIER,

Lt. Governor and *ex-officio* President Senate, South Carolina.

On motion of Mr. WHITTEMORE, the communication was received as information, and ordered to be entered on the Journal of the Senate.

REPORTS OF COMMITTEES.

Mr. GREENE, from the Committee on Finance, to whom was referred a Bill (House) to create a debt of the State of South Carolina, to be

known as the Sterling Funded Debt, the same, or the proceeds thereof, to be exclusively used in exchange for, or in the payment of, the existing public debt of said State, reported back the same, with a recommendation that the Bill do pass, with the following amendment to Section 4: Strike out all of said Section, down to the word "bonds," on the tenth line, and substitute in lieu thereof the following:

SECTION 4. That all the bonds hereby authorized shall be placed in the hands of a Financial Agent of this State, to be appointed by the Governor, Attorney General, Treasurer, Comptroller General and Secretary of State: *Provided*, That said Financial Board shall receive no compensation. Such Agent shall reside in the city of London aforesaid; and the Finance Board hereinbefore authorized, or a majority of them, through the Financial Agent of the State in New York, are hereby authorized and directed to enter into an agreement with such Financial Agent as may be appointed as aforesaid for the negotiation of said bonds

The report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. WHITTEMORE moved to amend Section 1, by striking out the word "coin."

After debate, participated in by Messrs. Leslie, Arnim, Whittemore,

The question was taken on agreeing to the amendment of the Senator from Darlington, and decided in the negative.

The question was taken on agreeing to the amendment to Section 4, recommended by the Committee on Finance, and decided in the affirmative.

On motion of Mr. CORBIN, Section 6 was amended, in the fourth line, printed Bill, by inserting between the words "be," and "absolutely" the word "forthwith."

On motion of Mr. CORBIN, Section 8 was amended, in the second line, by inserting between the words "hereafter," and "until" the words "by itself, its officers or agents."

There being no further amendments,

On the question of ordering the Bill to be engrossed for a third reading, Mr. BARBER called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Barber, Cardozo, Clinton, Corbin, Greene, Hayne, Hollinshead, Johnston, Leslie, Maxwell, McIntyre, Nash, Owens, Smalls, Wimbush.—16.

Nays—Messrs. Arnim, Bieman, Beckman, Dickson, Duncan, Duvall, Foster, Holcombe, Whittemore, Wilson.—10.

The PRESIDENT submitted, for the decision of the Senate, the ques.

tion as to the requirement of a two-thirds vote upon the separate readings of a Bill to raise a revenue.

After debate,

On motion of Mr. CORBIN,

Ordered, That the Bill be engrossed for a third reading.

Messrs. Whittemore and Arnim gave notice that on the third reading of the above Bill they would move to make sundry amendments.

Mr. WHITTEMROE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading :

A Bill to amend an Act entitled "An Act to grant, renew and amend the charter of certain towns and villages therein mentioned ;"

A Bill to authorize and require the County Commissioners of Barnwell County to establish a road from Blackville to Allendale.

The above Bills received their third reading, passed, and were ordered to be sent to the House of Representatives.

Mr. WHITTEMROE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed :

Bill to charter the North Western Railroad Company, of South Carolina ;

Bill to determine the day of election of the Mayor and Aldermen of the City of Charleston ;

Joint Resolution authorizing the State Auditor and County Commissioners to levy certain taxes.

Ordered for a third reading on Monday next.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to incorporate the Camden Steam Mill Company ;

A Bill to recharter the Cypress Causeway.

The above Bills received their third reading, passed ;

Ordered. That the titles thereof be changed to that of Acts, and that they be enrolled for ratification.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification,

An Act to alter and renew the charter of the town of Darlington ;

An Act to further amend an Act entitled "An Act providing for the assessment and taxation of property ;"

An Act to extend the limits of the town of Camden ;

An Act to incorporate the Charleston Riflemen Club ;

An Act to make appropriation for the payment of the per diem and mileage of the members of the General Assembly, and the subordinate officers, and other expenses incidental thereto ;

An Act to incorporate the Pleasant Grove Baptist Church, in Darlington County, South Carolina ;

An Act to incorporate the town of Florence ;

Joint Resolution directing the State Treasurer to refund to Messrs. Risley & Creighton six hundred and three dollars and seventy-eight cents—taxes overpaid by them.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the above Acts and Joint Resolutions.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

A Bill to provide the manner for obtaining the right of way, where lands are surrounded by other lands ;

A Bill to confer the right of legitimacy on certain children ;

A Bill to permit Burns D. Myers to adopt and make his lawful heirs H. Margaret Grimes and W. Burns Grimes, and to change the name of the said H. Margaret Grimes to H. Margaret Myers, and the name of W. Burns Grimes to W. Burns Myers ;

Joint Resolution authorizing the Secretary of State to contract with the Southern Domestic Gas Light Company, for the illumination of the State House and public offices thereof ;

A Bill to incorporate the Winyah Guards, of Georgetown, S. C.

The above Bills and Joint Resolution received their first reading, were ordered for a second reading and consideration on Monday, and to be printed.

The House also sent to the Senate the following Message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C. March 3, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that Messrs. Whipper, C. D. Hayne, Jamison, A. L. Singleton and Rivers have been appointed Committee of Free Conference, on the part of the House, to meet the Committee on the part of the Senate, to consider amendments to a Bill to regulate the manner of drawing juries.

Respectfully, &c ,

F. J. MOSES, JR.,
Speaker House of Representatives.

GENERAL ORDERS

The Senate proceeded to the consideration of the General Orders on the Calendar.

On motion of Mr. GREENE, the Senate proceeded to the consideration, out of its order, of

Concurrent Resolution (House) to appoint a Joint Committee to examine the accounts of the State Treasurer.

The Resolution was concurred in, and ordered to be returned to the House of Representatives.

The PRESIDENT announced the Senator from Orangeburg, appointed on the part of the Senate, and a message sent to the House of Representatives accordingly.

On motion of Mr. LESLIE, the Senate proceeded to the consideration, out of its order, of

Bill to protect the interest of the State whenever payment of interest now due remains unpaid on bonds issued by any Railroad Company, and whenever the guaranty of the State is endorsed.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections

There being no amendments,

Ordered, That the Bill be engrossed for a third reading,

On motion of Mr. LESLIE, the Senate proceeded to the consideration, out of its order, of

Bill to incorporate the Continental Telegraph Company.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Messrs. Leslie and Arnim gave notice that on the third reading of the above Bill they would move to make sundry amendments.

On motion of Mr. LESLIE, the Senate proceeded to the consideration, out of its order, of

Bill to establish the Charleston Charitable Association, of the State of South Carolina, for the benefit of the Free School Fund.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That it be engrossed for a third reading.

On motion of Mr. MAXWELL, the Senate proceeded to the consideration, out of its order, of

Resolution to change the hour of meeting of the Senate, and to have two daily sessions.

On motion of Mr. MAXWELL, the further consideration of the Resolution was indefinitely postponed.

On motion of Mr. CLINTON, the Senate proceeded to the consideration, out of its order, of

Joint Resolution authorizing the County Sheriff of Lancaster to publish notices of sales on property under execution.

The Joint Resolution received its second reading, and was considered as in Committee of the Whole.

Mr. CORBIN moved that the further consideration of the Resolution be indefinitely postponed.

After debate, participated in by Messrs. Clinton and Corbin,

The question was taken on agreeing to the motion of the Senator from Charleston, and decided in the negative.

On motion of Mr. HAYNE, the resolving clause of the Resolution was stricken out.

RATIFICATION OF ACTS

The Speaker of the House of Representatives attended in the Senate, when the following Acts were duly ratified :

An Act to promote the consolidatson of the Greenville and Columbia Railroad Company and the Blue Ridge Railroad Company ;

An Act to alter and renew the charter of the town of Darlington ;

An Act to change the name of the Gap Creek and Middle Saluda Turnpike Company, and to amend and renew the charter thereof ;

An Act to make appropriations for the payment of the per diem and mileage of the members of the General Assembly, and the subordinate officers, and other expenses incidental thereto ;

An Act to incorporate the Charleston Riflemen Club ;

An Act to amend an Act entitled " An Act to establish and maintain a system of free common schools for the State of South Carolina ;"

Joint Resolution making an appropriation of forty-seven thousand dollars for the completion of the State Lunatic Asylum, and for other purposes.

On motion of Mr. WHITEMORE,

At 11 P. M., the Senate adjourned.

MONDAY, MARCH 6, 1871.

Pursuant to adjournment, the Senate assembled at 12 M., and was called to order by the PRESIDENT.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Rev. E. J. Adams.

The Clerk read the Journal of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,

Concurrent Resolution authorizing the Clerks of the two Houses to draw pay certificates to members and subordinate officers from March 2 to March 7, inclusive.

The Resolution was concurred in, and ordered to be returned to the House of Representatives.

The House returned, with amendments,

A Bill to more effectually provide for the recording of all conveyances of real estate.

On motion of Mr. LESLIE, the Senate refused to concur in the amendments, and a message was sent to the House of Representatives accordingly.

The House sent to the Senate,

Contracts and specifications for building an addition to the Lunatic Asylum.

The contract was concurred in, and ordered to be returned to the House of Representatives.

The House also sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., March 4, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that the enacting clauses of the following named Senate Bills have been stricken out by this House :

A Bill to amend an Act entitled "An Act to provide for the appointment of Trial Justices ;"

A Bill to regulate the granting of writs of *habeas corpus* in certain cases ;

A Bill to enlarge and define the powers of the Charleston City Board of School Commissioners, and to allow said Board to levy a tax for the support of Free Schools in the City of Charleston ;

Also, that a Senate Joint Resolution authorizing the County Commissioners of Spartanburg County to levy a special tax, has been laid on the table in this House.

Respectfully, &c.,

F. J. MOSES, JR.,
Speaker of the House of Representatives.

The House also sent to the Senate

Concurrent Resolution to authorize the State Superintendent of Edu-

cation to summon the School Commissioners to make sundry changes in the text books for the use of Common Schools, &c.

On motion of Mr. WHITTEMORE, the Resolution was ordered to lie on the table, and a message sent to the House of Representatives accordingly.

The House sent to the Senate

A Bill to incorporate the Benford and Mazyck Ethiopian Troupe;

A Bill to establish Big House Ferry, in Beaufort County, South Carolina;

A Bill to regulate Passenger Fares on Railroads;

A Bill to permit William B. Myers to adopt and make his lawful heir Dora V. Baxter, and to change the name of the said Dora V. Baxter to Dora V. Myers;

A Bill to repeal the charter of Rantowle's Bridge, and to make the same a public highway;

Joint Resolution authorizing the State Auditor and County Commissioners to levy certain taxes;

Joint Resolution authorizing J. A. Mayes, Executor, to sell certain lands, and apply the proceeds thereof to the education of minor heirs;

Joint Resolution to require the Governor to communicate with the proper authorities of the State of Georgia, with a view to re-adjustment of the boundary line between the States of Georgia and South Carolina, and authorizing the appointment of Commissioners.

Joint Resolution to authorize Wm. B. Anderson to practice as a Veterinary Surgeon;

Joint Resolution authorizing the Governor to have the flooring and roof of the State House repaired;

Joint Resolution authorizing the State Treasurer to re-issue to Rinah S. Cohen certificates of State stock.

The above Bills and Joint Resolutions received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

REPORTS OF COMMITTEES.

Mr. WIMBUSH, from the Committee on Contingent Accounts, to whom was referred sundry accounts against the Clerk of the Senate the accounts of E. R. Stokes, H. Solomon, J. W. Denny and others, reported back the same, with a recommendation that the accounts be paid.

The question was taken on agreeing to the Report, decided in the affirmative, and the accounts ordered to be paid.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported that the following Acts and Joint Resolution, having been duly enrolled,

sealed and ratified, were presented for approval to His Excellency the Governor at 10:45 A. M. this day :

An Act to incorporate the Charleston Riflemen Club ;

An Act to change the name of the Gap Creek and Middle Saluda Turnpike Company, and to amend and renew the charter thereof ;

An Act to alter and renew the charter of the town of Darlington ;

An Act to make appropriation for the payment of the per diem and mileage of the members of the General Assembly, and the subordinate officers, and other expenses incidental thereto ;

An Act to amend an Act entitled " An Act to establish and maintain a system of Free Common Schools for the State of South Carolina ;"

Joint Resolution making an appropriation of forty-seven thousand dollars for the completion of the State Lunatic Asylum, and for other purposes.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification,

An Act to amend an Act entitled " An Act to incorporate the Enterprise Railroad Company, of Charleston, South Carolina ;"

An Act to enable judgment debtors to sell their real and personal property, and confirm sales already made in conformity with conditions therein specified ;

An Act to make appropriations and raise supplies for the year commencing November 1, 1870.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate, to assist in the ratification of the above Acts.

Mr. LESLIE, from the Committee of Conference, on the part of the Senate, submitted the following

REPORT:

The Committee of Conference, appointed to consider the disagreement of the two Houses, on House amendments to a Bill to amend an Act to define the jurisdiction and duties of County Commissioners, beg leave to Report that they have met the Committee from the House, and agreed to recommend that the House amendments be adopted.

C. P. LESLIE,

Chairman Senate Committee.

The Report was agreed to, and a message sent to the House of Representatives accordingly.

RESOLUTIONS.

Mr. MAXWELL introduced the following Resolution :

Resolved, That the Clerk of the Senate be authorized to draw a pay certificate for five thousand five hundred dollars in favor of the Republican Printing Company, for printing.

On motion of Mr. MAXWELL, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Mr. HAYNE introduced the following Resolution :

Resolved, That the Sergeant-at-Arms be, and he is hereby, authorized to take charge of that part of the Capitol used by the Senate, and the furniture belonging thereto, with the exception of the room used by the Clerk of the Senate.

On motion of Mr. HAYNE, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Mr. CARDOZO introduced the following Resolution :

Resolved, That when the Senate adjourn, it shall stand adjourned to meet this day at 7:30 P. M.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

Mr. MAXWELL introduced the following Resolution :

Resolved, That Rule 34 of the Senate, which provides that "no Bill shall be read a third time on the day fixed for the adjournment of the Senate," be, and is hereby, suspended during the remainder of the session.

On motion of Mr. MAXWELL, the Rule was suspended, and the Resolution considered immediately.

The question was taken on agreeing to the Resolution, and decided in the affirmative.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders.

On motion of Mr. LESLIE, the Senate proceeded to the consideration of

Bill (House) to establish the Charleston Charitable Association of the State of South Carolina, for the benefit of the free school fund.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Bill (House) to amend and extend the charter of the Planters' and Mechanics' Bank of South Carolina, and for other purposes therein named.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Mr. CORBIN gave notice that, on the third reading of the above Bill, he would move to make sundry amendments.

Mr. WHITTEMORE gave notice that on the third reading of a Bill to amend and extend the charter of the Planters' and Mechanics' Bank, of South Carolina, and, also, on the third reading of a Bill to establish the Charleston Charitable Association, of the State of South Carolina, for the benefit of the free school fund, he would move to make sundry amendments.

UNFINISHED BUSINESS.

The Senate proceeded to the consideration of the Unfinished Business, to wit:

Consideration of Section 5 of Bill for the establishment of a Normal School in each Congressional District in this State.

On motion of Mr. WHITTEMORE, the further consideration of the above Bill was postponed until the next regular session of the General Assembly.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders.

On motion of Mr. WHITTEMORE, the Senate took up from the table, for consideration,

Concurrent Resolution authorizing the Governor to appoint a physician to inspect the various Asylums in the United States.

The Resolution was concurred in, and ordered to be returned to the House of Representatives.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Bill (House) to amend "An Act entitled an Act to organize the Supreme Court."

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. ALLEN, the Senate proceeded to the consideration, out of its order, of

Joint Resolution (House) authorizing the Secretary of State of the State of South Carolina to contract with the Southern Domestic Gas Light Company for the illumination of the State House and public offices thereof.

The Joint Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That it be engrossed for a third reading.

Mr. CARDOZO moved that the vote whereby the Senate struck out the enacting clause of House Bill to facilitate the punishment of crime be reconsidered.

The motion of the Senator from Kershaw was not agreed to.

The Senate proceeded to the consideration of

A Bill to charter the North Western Railroad Company, in the State of South Carolina.

The Bill received its third reading.

Mr. ALLEN moved that the enacting clause of the Bill be stricken out.

Pending the consideration of the motion of the Senator from Greenville.

The PRESIDENT announced the hour arrived for the consideration of the

SPECIAL ORDERS.

The Senate proceeded to the consideration of the Special Orders for this day at 1 P. M., to wit :

Message No. 59 of His Excellency the Governor, returning, with his objections, an Act to compel County Treasurers to receive County checks in payment for County taxes, and other purposes.

A Bill to create a sinking fund for the payment of the principal of the public debt of South Carolina.

On motion of Mr. SWAILS, the further consideration of the Special Orders was postponed until the disposal of the matter previously under consideration.

GENERAL ORDERS.

The Senate resumed the consideration of General Orders.

A Bill to charter the North Western Railroad Company, in the State of South Carolina.

On the question of agreeing to the motion of the Senator from Greenville, that the enacting clause of the Bill be stricken out,

Mr. SWAILS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Barber, Greene, Leslie, Maxwell, Owens, Swails.—7.

Nays—Messrs. Arnim, Bieman, Beckman, Corbin, Dickson, Duncan, Duvall, Foster, Holcombe, Johnston, Nash, Rose, Smalls, Whittemore, Wilson, Wimbush.—16.

So the Senate refused to strike out the enacting clause of the Bill.

On the question of agreeing to the passage of the Bill,

Mr. ARNIM called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Arnim, Bieman, Beckman, Dickson, Duvall, Foster, Gaillard, Holcombe, Johnston, Maxwell, Nash, Smalls Whittemore, Wilson.—14.

Nays—Messrs. Allen, Barber, Cardozo, Clinton, Corbin, Greene, Hayes, Hollinshead, Leslie, Owens, Rose, Swails, Wimbush.—13.

So the Bill passed, title ordered to be changed to that of an Act, and enrolled for ratification.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Bill to repeal Paragraph 4, Section 81, of the Code of Procedure of the State of South Carolina.

On motion of Mr. WHITTEMORE, the enacting clause of the Bill was stricken out.

On motion of Mr. CARDOZO, the Senate proceeded to the consideration, out of its order, of

Bill (House) to provide for the election of Justices of the Peace and Constables, and for other purposes.

The Bill was taken up for a second reading.

On motion of Mr. SWAILS, the further consideration of the Bill was postponed until the next regular session of the General Assembly.

On motion of Mr. MAXWELL, the Senate proceeded to the consideration, out of its order, of

Resolution (by Mr. Hayes) to authorize State Librarian to purchase fifty copies of Ramsay's History of South Carolina.

The Resolution was agreed to, and ordered to be sent to the House of Representatives for concurrence.

On motion of Mr. WILSON, the Senate proceeded to the consideration, out of its order, of

Report of Judiciary Committee on Bill to provide for the appointment of Trial Justices and the organization of their Courts, and the jurisdiction of the same.

The Report was read, and the Bill taken up for a second reading.

On motion of Mr. WILSON, the further consideration of the Report and Bill was postponed, and made the Special Order for Thursday, November 23, 1871, at 2 P. M.

The Senate proceeded to the consideration of

Bill to determine the day of election for the Mayor and Aldermen of the city of Charleston.

The Bill received its third reading, passed;

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled for ratification.

Joint Resolution authorizing the State Auditor and County Commissioners to levy certain taxes.

The Joint Resolution received its third reading, passed.

On motion of Mr. LESLIE, the Senate proceeded to the consideration, out of its order, of

Bill to incorporate the Continental Telegraph Company.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Bill to protect the interest of the State, whenever payment of interest now due remains unpaid, on bonds issued by any railroad company, and whereon the guaranty of the State is endorsed.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Bill (Senate) to establish the Charitable Association of the State of South Carolina, for the benefit of the Free School Fund.

The Bill received its third reading.

On motion of Mr. LESLIE, the Bill was ordered to lie on the table.

Bill (Senate) to incorporate the Continental Telegraph Company.

The Bill received its third reading.

On motion of Mr. LESLIE, the Bill was ordered to lie on the table.

Mr. CORBIN, from the Committee on Conference, on part of the Senate, submitted the following

REPORT:

The Committee on the part of the Senate, appointed to meet a similar Committee on the part of the House of Representatives, in Free Conference, on the "Bill to regulate the manner of Drawing Juries," have met and considered the matters of disagreement between the two House, and report:

They recommend that the Senate recede from its amendment of the fourth Section, and adopt the said Section, amended so as to read as follows:

"SECTION 4. That there shall be appointed by the Governor, and confirmed by the Senate, one officer for each County in the State, to be named and designated a Jury Commissioner, who, with the County Auditor, and Chairman of the Board of County Commissioners, shall constitute a Board of Jury Commissioners for the County; said Jury Commissioner shall hold his office for two years, unless sooner removed by the Governor."

The Committee recommend that the Senate recede from its amendment to the 27th Section, whereby the words, "with the permission of the Court," were inserted, and that the Section be adopted as passed by the House of Representatives.

The Committee recommend that the Senate recede from its amendment, whereby Section 37 was stricken out, and that the same be restored and amended as follows:

In the first line, after the words "Jury Commissioner," insert the words, "appointed by the Governor," and in the same line strike out the word "their," and insert in lieu thereof the word "his."

The Committee recommend that the House of Representatives do recede from its disagreement to the other Senate amendments of the Bill, and do agree to the same.

Respectfully submitted.

D. T. CORBIN,
Chairman Senate Committee.

The question was taken on agreeing to the Report, decided in the affirmative, and a message sent to the House of Representatives accordingly.

Ordered, That the title of the Bill be changed to that of an Act, and that it be enrolled for ratification.

GENERAL ORDERS.

The Senate resumed the consideration of General Orders on the Calendar.

On motion of Mr. CARDOZO, the Senate proceeded to the consideration, out of its order, of

Joint Resolution to provide for the compensation of the State Librarian.

The Resolution was taken up for a second reading.

On motion of Mr. LESLIE, the resolving clause of the Resolution was stricken out.

On motion of Mr. ARNIM, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Railroads on Bill to incorporate the Yemasee and Millen Railroad.

The Report and Bill were taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. WHITTEMORE moved to amend Section 1, in the seventh line of printed Bill, by striking out the name "H. H. Montgomery," and inserting in lieu thereof the name "J. J. Patterson."

On motion of Mr. ARNIM, the amendment was ordered to lie on the table,

Which the PRESIDENT decided carried with it the entire Section.

On motion of Mr. SMALLS, the Section was taken up from the table.

Pending further consideration of the Section,

The Sergeant-at-Arms announced,

MESSAGE FROM THE GOVERNOR.

Messages Nos. 61 and 62, from His Excellency the Governor, were presented to the Senate, by Mr. W. F. Hague, Assistant Private Secretary.

The PRESIDENT announced that the Messages related to Executive Business.

GENERAL ORDERS.

The Senate resumed the consideration of

Bill to incorporate the Yemasee and Millen Railroad.

Mr. SMALLS moved to amend Section 1, by inserting after the name "H. H. Montgomery," the names "George Waterhouse, J. C. Mayo, J. W. Crofut, H. M. Stewart, Sr., H. J. Maxwell."

The question was taken on agreeing to the amendment, and decided in the affirmative.

On motion of Mr. LESLIE, Section 3 was amended, by the addition of the following proviso :

"And provided, further, That this Act shall not be construed so as to bind the State to endorse, guarantee or aid said road."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. CARDOZO, the Senate proceeded to the consideration, out of its order, of

Bill (House) to provide the manner for obtaining the right of way, when lands are surrounded by other lands.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. GREENE, the Senate proceeded to the consideration, out of its order, of

Bill (House) to empower and authorize and require the County Commissioners of Orangeburg County to build a bridge across the North Edisto River, and establishing a road therefrom to the town of Branchville.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report (unfavorable) of the Judiciary Committee on a Bill to prohibit disguises.

The Report was read, agreed to, and the Bill, accordingly, ordered to lie on the table.

On motion of Mr. SMALLS, the Senate proceeded to the consideration, out of its order, of

Report of Committee on the Judiciary on a Bill to authorize the Clerks of Courts of Common Pleas to take testimony in certain cases.

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. GREENE, the Senate proceeded to the consideration, out of its order, of

Report of the Committee on Roads, Bridges and Ferries on the petition of George R. Tucker, of Union County.

On motion of Mr. GREENE, the further consideration of the Report was postponed until the next regular session.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Privileges and Elections on Joint Resolution to suspend so much of an Act entitled "An Act providing for the general election, and the manner of conducting the same," as requires the Board of Canvassers to count the votes at certain times.

The Report was read, and the Joint Resolution taken up for a second reading.

On motion of Mr. WHITTEMORE, the Resolution was ordered to lie on the table.

On motion of Mr. CARDOZO, the Senate proceeded to the consideration, out of its order, of

Bill (House) to confer the right of legitimacy on certain children.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Incorporations on a Bill to provide for the incorporation of towns and villages in this State.

The Report was read, and the Bill taken up for a second reading.

On motion of Mr. WHITTEMORE, the further consideration of the Bill was postponed, and made the Special Order for the fourth Tuesday in November next.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Public Lands on a Bill to repeal an Act entitled "An Act to provide for the appointment of a Land Commissioner, and to define his powers and duties."

The Report was read, and the Bill taken up for a second reading.

On motion of Mr. HAYNE, the further consideration of the Bill was postponed to the next regular session.

SPECIAL ORDER.

On motion of Mr. GAILLARD, the Senate proceeded to the consideration of the Special Order for this day, at 2 P. M., to wit:

Bill (House) to renew and amend the charters of certain towns and villages therein mentioned.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. GAILLARD, Section 1 was amended by striking out of line five, printed Bill, the words "of each year (unless the same falls on Sunday,) and the day next preceding," and inserting in lieu thereof "1871, and on the same day in each year thereafter."

On motion of Mr. WHITTEMORE, Section 22 was amended by filling the blanks with the word "twenty."

On motion of Mr. GAILLARD, Section 38 was amended by striking out of the third line the words "next, on which day, as well as on the second Monday in April," and inserting, in lieu thereof, "1871, and on the same day."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. LESLIE, the Senate proceeded to the consideration, out of its order, of

Joint Resolution authorizing the State Treasurer to re-issue to Rinah S. Cohen a certain certificate of State stock.

The Resolution received its second reading.

On motion of Mr. GREENE, the Resolution was amended by the addition of the following proviso:

"That said Rinah S. Cohen shall enter into a bond, with sufficient security, twice the sum of said stock, to the State Treasurer, to indemnify the State against loss."

The Resolution, as amended, was agreed to, and ordered to be engrossed for a third reading.

EXECUTIVE SESSION.

At 2:35 P. M., the Senate went into Executive Session.

After the disposal of Executive Business, the Senate returned to open session.

On motion of Mr. ARNIM, at 3 P. M. the Senate adjourned to 7:30 P. M.

EVENING SESSION.

The Senate re-assembled at 7:30 P. M., and was called to order by the President Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT, announced the Senate ready to proceed to business.

Prayer by the Chaplain.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,

Bill to charter the Cheraw, Lancaster, Union and Greenville Railroad Company ;

Bill to incorporate the Wadmalaw Light Guard ;

Bill to declare the rights of common carriers ;

Bill to regulate the manufacture and sale of Commercial Fertilizers in the State of South Carolina.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

The House returned, with concurrence,

Resolution to authorize the State Librarian to purchase fifty copies of Ramsay's History of South Carolina.

The House also sent to the Senate,

Report of the Committee on Claims, on the accounts of A. L. Robinson.

The Report was concurred in, and ordered to be returned to the House of Representatives.

The House also sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., March 6, 1871.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that they have adopted the Report of Committee of Free Conference on amendments to a Bill to regulate the drawing of juries.

Very respectfully,

F. J. MOSES, Jr.,
Speaker House of Representatives.

REPORTS OF COMMITTEES.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification,

An Act to incorporate the Union Gold Mining Company, of South Carolina ;

An Act to authorize the formation of, and to incorporate, the Tugaloo and Chattanooga Railroad Company ;

An Act to charter the South Carolina Phosphate and Phosphatic River Mining Company in the State of South Carolina, and to grant to the persons therein named and their associates the right to dig and mine in the beds of the navigable streams and waters of the State of South Carolina, for phosphatic rocks and phosphatic deposits ;

An Act to charter the Jacksonboro Ferry ;

An Act to regulate the call of the docket of the Supreme Court ;

An Act to relinquish all the right, title and interest of the State of South Carolina, in and to certain real estate, whereof one Napoleon B. Pouncey, of Horry, a bastard, died, siezed, and vest the same in certain persons therein mentioned ;

Also, a Joint Resolution directing part of a certain tax to be devoted to the erection of a Court House and Jail in Manning.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assit in the ratification of the above Acts.

The House also sent to the Senate the following messages :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., March 6, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that they respectfully insist on amendment to a Senate Bill to more effectually provide for the recording of all conveyances of real estate, and agree to the request of your body for a Committee of Conference, and have appointed Messrs. Byas, Duncan and Levy said Committee.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker House of Representatives.

On motion of Mr. CORBIN, a Committee of Conference was appointed, and a message sent to the House of Representatives accordingly.

Messrs. Corbin and Leslie were appointed Committee on the part of the Senate.

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., March 6, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that the enacting clause of a Senate Bill to regulate the tenure of certain civil offices has been stricken out by the House of Representatives; and that a Senate Bill to provide for the appointment of a Supervisor of the State House and Grounds has been laid on the table.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker House of Representatives.

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., March 6, 1871.

Mr. President and Gentlemen of the Senate :

The House of Representatives respectfully informs your honorable body that they respectfully request the appointment of Committee of Free Conference on account of J. H. Leland, for services rendered as school teacher.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker House of Representatives

After debate, participated in by Messrs. Whittemore, Nash, Maxwell, Corbin,

The question was taken on agreeing to the appointment of a Committee of Free Conference, decided in the negative, and a message sent to the House of Representatives accordingly.

GENERAL ORDERS.

The Senate proceeded to the consideration of General Orders.

On motion of Mr. SWAILS, the vote whereby the Senate passed to a third reading Joint Resolution authorizing the State Auditor and County Commissioners to levy certain taxes, was reconsidered.

On motion of Mr. SWAILS, the Resolution was amended, on the third reading, by striking out all after the enacting clause, and inserting in lieu thereof the following as passed by the House of Representatives :

“ That the State Auditor be, and he is hereby, authorized and directed to levy and cause to be collected a tax not to exceed seven mills on a dollar, on all the taxable property in the State, to meet appropriations for the fiscal year, 1871, and the County Commissioners in the several Counties are hereby authorized to levy and cause to be collected a tax not to exceed three mills on a dollar, on the taxable property in their respective Counties, for the fiscal year, 1871.”

Ordered, That the Resolution be enrolled for ratification.

The Senate proceeded to the consideration of

Report of Committee on the Judiciary on a Bill to amend Title V of Part I of the Code of Procedure.

The Report was read, and the Bill taken up for a second reading.

On motion of Mr. CORBIN, the enacting clause of the Bill was stricken out.

Report of Committee on County Offices and Officers on a Bill to require an additional report from the County Commissioners of the Counties of Pickens and Oconee.

On motion of Mr. WHITTEMORE, the further consideration of the

Report and Bill was postponed to the next regular session of the General Assembly.

Report of Committee on Judiciary on a Bill to repeal an Act entitled "An Act to secure advances for agricultural purposes."

The Report was read, and Bill taken up for a second reading.

On motion of Mr. HAYNE, the enacting clause of the Bill was stricken out.

Report of Committee on Judiciary on Bill to amend an Act entitled "An Act to protect laborers working under shares of crops."

The Report was read, and the Bill taken up for a second reading.

Mr. HAYNE moved that the enacting clause of the Bill be stricken out.

On division, the Senate voted yeas, 9 ; nays, 8.

So the enacting clause of the Bill was stricken out.

Report of Committee on Judiciary on Bill to amend Section three of an Act entitled "An Act to determine and perpetuate the homestead."

On motion of Mr. SMALLS, the further consideration of the Report and Bill was postponed to the next regular session of the General Assembly.

On motion of Mr. HAYNE, the Senate proceeded to the consideration, out of its order, of

Bill (House) to amend an Act entitled "An Act to organize and govern the militia of the State of South Carolina."

The Bill received its second reading.

Mr. CORBIN moved that the enacting clause of the Bill be stricken out.

After debate, participated in by Messrs. Swails, Corbin, Hayne,

On the question of agreeing to to the motion of the Senator from Charleston,

Mr. DUVALL called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Bieman, Cardozo, Corbin, Dickson, Duncan, Duvall, Foster, Hayes, Holcombe, Hollinshead, Leslie, Maxwell, Owens, Whittemore, Wilson—16.

Nays—Messrs. Barber, Beckman, Clinton, Gaillard, Greene, Hayne, Johnston, McIntyre, Nash, Rose, Smalls, Swails, Wimbush—13.

So the enacting clause of the Bill was stricken out.

On motion of Mr. CARDOZO, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Agriculture on House Concurrent Resolution to print one thousand copies of Commissioner's Report on Agriculture.

The Report was read, and the Resolution taken up for consideration.

On motion of Mr. WHITTEMORE, the Resolution was ordered to lie

on the table, and a message sent to the House of Representatives accordingly.

On motion of Mr. WIMBUSH, the Senate proceeded to the consideration of the Report of the Committee on the Judiciary in the matter of the residence of Judge Thomas.

The Report and Testimony, and the following Address, were read :

To His Excellency R. K. Scott, Governor of the State of South Carolina :

Your petitioners, members of the General Assembly of the State of South Carolina, would respectfully show unto your Excellency, that in accordance with Section IV of Article VII, of the Constitution of the State, they hereby request the removal from office of Wm. M. Thomas, Judge of the Sixth Judicial Circuit. He as such Judge, having violated Section XIII of Article IV of the State Constitution, which Section explicitly states that any person who shall be elected a Circuit Judge shall reside in the Circuit over which he presides. Your petitioners would respectfully state that since his election, said Judge Thomas has never, in compliance with said Section of the Constitution, resided in the Circuit to which he was elected, and would therefore pray your Excellency for the removal of said Judge William M. Thomas.

On motion of Mr. CORBIN, counsel for respondent, S. P. Hamilton, Esq., was admitted to the floor of the Senate, and heard in defence.

After further hearing of Messrs. Wimbush, Corbin, Leslie, Nash, Mr. WIMBUSH introduced the following Preamble and Resolution :

Whereas, it appears, from the report of the Judiciary Committee and the testimony submitted therewith, that William M. Thomas, Judge of the Sixth Circuit, has not, since his election, in 1868, and during his continuance in office, resided in the Circuit of which he is Judge, as required by the 13th Section of Article IV of the Constitution ; therefore,

Resolved by the Senate, (two-thirds of the Senate agreeing thereto,) and the House of Representatives, (two-thirds of the House agreeing thereto,) That the address to His Excellency the Governor, requesting the removal of William M. Thomas, Judge of the Sixth Circuit, be adopted.

On the question of agreeing to the Resolution,

Mr. WIMBUSH called for the yeas and nays.

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Barber, Cardozo, Clinton, Corbin, Duncan, Foster, Gaillard, Greene, Holcombe, Hollinshead, Johnston, Leslie, Maxwell, Montgomery, McIntyre, Nash, Owens, Smalls, Swails, Wilson, Wimbush—21.

Nays—Messrs. Bieman, Beckman, Dickson, Duvall, Hayes, Rose, Whittemore—7.

So the Resolution and address was agreed to, and ordered to be sent to the House of Representatives.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Finance, on Bill to authorize certain County Commissioners to subscribe to the Capital Stock of the South Carolina Central Railroad Company, to issue bonds, and to provide for the interest and principal thereon.

On motion of Mr. WHITTEMORE, the further consideration of the Report and Bill was postponed until the next regular Session.

On motion of Mr. NASH, the Senate proceeded to the consideration, out of its order, of

Joint Resolution (by Mr. McIntyre) authorizing the State Treasurer to pay L. A. Bigger the sum of \$12,000, and for other purposes.

On motion of Mr. HAYNE, the further consideration of the Resolution was indefinitely postponed.

On motion of Mr. SWAILS, the Senate proceeded to the consideration, out of its order, of

Report of Committee on Military on Bill to amend Section 15 of an Act entitled "An Act to organize and govern the Militia of South Carolina."

The Report was read and agreed to, and the Bill accordingly ordered to lie on the table.

Report of Committee on Military on Concurrent Resolution requesting His Excellency the Governor to return the arms to Militia Companies.

The Report was read, agreed to, the Resolution ordered to lie on the table, and a message sent to the House of Representatives accordingly.

On motion of Mr. HAYNE the Senate proceeded to the consideration, out of its order of,

Bill (House) to incorporate the Winyah Guards, of Georgetown.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, that it be engrossed for a third reading.

The Senate proceeded to the consideration of

Report of Committee on Incorporations on a Bill to incorporate the South Carolina Rifle Club, of Charleston.

On motion of Mr. SMALLS, the further consideration of the Report and Bill was postponed to the next session of the General Assembly.

Report of the Committee on Claims and Grievances on Joint Resolu-

tion authorizing the State Treasurer to pay fifty-eight dollars out of the Treasury to Henry Newton.

On motion of Mr. NASH, the Resolution was ordered to lie on the table and a message sent to the House of Representatives accordingly.

Report of the Committee on the Judiciary on a Bill to amend an Act entitled "An Act to regulate the fees of Probate Judges, Clerks of Courts, Trial Justices, Magistrates, and other officers therein mentioned."

The Report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. CORBIN, Section 1 was amended by striking out before the word "dollars," the word "eight," and inserting, in lieu thereof, the word "five."

On motion of Mr. CORBIN, Section 2 was amended by striking out the word "seventy-five," and inserting, in lieu thereof, the words "one dollar and fifty cents."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate proceeded to the consideration, out of its order, of

Bill to provide for the relinquishment to the United States, in certain cases, of title to lands for sites of light stations on the coast and waters of the State.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. WHITTEMORE, Section 1 was amended in the thirteenth line by striking out the word "four," and inserting, in lieu thereof, the word "three."

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to amend an Act entitled "An Act to organize the Supreme Court ;"

Bill to permit Burns P. Myers to adopt and make his lawful heirs H. Margaret Grimes and W. Burns Grimes, and to change the name of the said H. Margaret Grimes to H. Margaret Myers, and the name of W. Burns Grimes to W. Burns Myers ;

Bill to empower and authorize and require the County Commissioners of Orangeburg County to build a bridge across the North Edisto River, and establishing a road therefrom to the town of Branchville ;

Joint Resolution authorizing the Secretary of State of the State of

South Carolina, to contract with the Southern Domestic Gas Light Company for the illumination of the State House and public offices thereof;

Joint Resolution authorizing the State Treasurer to re-issue stock of the State of South Carolina ;

Bill to amend an Act entitled " An Act to organize the Supreme Court ;"

Bill to confer the rights of legitimacy on certain children ;

Joint Resolution authorizing the State Treasurer to re-issue a certain certificate of State stock to Rinah Cohen ;

Ordered for a third reading to-morrow.

Mr. GREENE, from the Joint Committee, submitted the following Report :

IN THE SENATE, COLUMBIA, S. C., March 6, 1871.

The Joint Committee on Finance and Ways and Means, instructed to visit the Comptroller General's office, to examine into his arrangements for the safe custody of the public property in his keeping, beg leave to report that they have carefully examined his office including vault and fire proof safe; also manner of keeping records of Bonds placed in his keeping, by Fire and Life Insurance Companies, according to law, and find that the vaults and safes are absolutely fire and burglar proof, and the records of Bonds deposited, and coupons paid from same, are kept in good order, and are easy of reference,

JOSEPH A. GREENE,

Chairman Finance Committee.

W. J. WHIPPER,

Chairman Committee Ways and Means.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to incorporate the Union Saving Society's Bank ;

The Bill received its third reading, and was ordered to be sent to the House of Representatives.

Mr. CORBIN, in accordance with previous notice, presented the following protest; which was ordered to be entered on the Journal :

We, the undersigned, members, of the Senate, protest against the passage of the Bill, entitled "A Bill to incorporate the Claflin University, and the State Agricultural College, of South Carolina," on the following grounds:

1. Because said Bill does not provide for the organization of an Agricultural College " where the leading object is to teach such branches of learning as are related to agriculture and the mechanic arts," as required in the fourth Section of the Act of Congress, of July 2d, 1862.

2. Because, while said Bill gives the "Trustees of the Claflin University and State Agricultural College power to establish and maintain such a College as is authorized and provided for by the Act of Congress of the United States," &c., it does not *compel* or *require* them to do it, or provide in *what manner* they shall do it, or the *ends* and *purposes* to be accomplished by such a College. It also expressly restricts the power of the Trustees to establish such a College by certain "provisions and limitations," therein expressed.

3. Because the leading object of the Claflin University, as expressed in its original charter, and the Claflin University and Agricultural College, as expressed in this Bill, is to establish a *theological school*; it is expressed in the eighth Section of this Bill as follows; "It shall be the duty of the Trustees of the Claflin University and State Agricultural College, directors and teachers, to impress on the minds of students the principles of morality and justice, and a sacred regard to truth, love to their Country, humanity, universal benevolence, sobriety, industry, frugality, chastity, temperance, and all other virtues, which are the ornaments of human society and the basis of personal and national prosperity."

4. Because this fund, donated by Congress to the State, (now amounting to about \$200,000 in State bonds,) is required, by Act of Congress, to be devoted to the purposes of an "Agricultural College;" and it is declared, by the said Act of Congress, that the donation is made on the express condition that the "State shall provide, within five years, at least, not less than one such college."

5. Because this fund, intended to benefit the agricultural interests of the State, is all given to this University, and is a flagrant misappropriation, if not an embezzlement, of the fund.

D. T. CORBIN,
JOHN WILSON,
W. E. HOLCOMBE,
G. W. DUVALL,
D. BIEMAN.

On motion of Mr. WHITTEMORE, it was

Resolved That when the Senate adjourns, it shall stand adjourned to meet to-morrow, at 10 A. M.

On motion of Mr. WHITTEMORE, at 10 P. M., the Senate adjourned.

TUESDAY, MARCH 7, 1871.

Pursuant to adjournment, the Senate assembled at 10 A. M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by the Chaplain.

On motion of Mr. SWAILS, the reading of the Journal of yesterday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

Concurrent Resolution to instruct the Joint Committee to investigate the affairs of the Land Commission, and report to-morrow.

The Resolution was concurred in, and ordered to be returned to the House of Representatives.

Concurrent Resolution authorizing five hundred copies of the Land Commissioner's Report to be printed for the use of the members of the General Assembly.

The Resolution was concurred in, and ordered to be returned to the House of Representatives.

The House returned, with amendments,

Senate Bill to provide for the construction and repairs of the public highways.

On motion of Mr. CORBIN, the amendments were concurred in.

Ordered, That the title thereof be changed to that of an Act, and that it be enrolled for ratification.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR

Message No. 63, from His Excellency the Governor, was presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

The Message was read, as follows:

STATE OF SOUTH CAROLINA,

EXECUTIVE DEPARTMENT,

COLUMBIA, March 7, 1871.

Hon. President of the Senate:

I have the honor to inform you that I have this day approved and signed the following Acts, to wit:

An Act to alter and renew the charter of the Town of Darlington;

An Act to amend an Act entitled "An Act to establish and maintain a system of Free Common Schools for the State of South Carolina;"

Joint Resolution making an appropriation of forty-seven thousand dollars for the completion of the State Lunatic Asylum, and for other purposes.

Very respectfully,

ROBERT K. SCOTT, Governor.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Bill (House) to incorporate the Continental Telegraph Company ;

Bill (House) to protect the interest of the State whenever payment of interest now due remains unpaid on the bonds issued by any Railroad Company, and whenever any guaranty of the State is endorsed ;

Bill (House) to empower and authorize and require the County Commissioners of Orangeburg County to build a bridge across the north fork of Edisto River, and establish a road therefrom to the town of Branchville ;

Bill (House) to permit Burns P. Myers to adopt and make his lawful heirs H. Margaret Grimes and W. Burns Grimes, and to change the name of the said H. Margaret Grimes to H. Margaret Myers, and the said W. Burns Grimes to W. Burns Myers ;

Bill (House) to amend an Act entitled "An Act to organize the Supreme Court ;"

Bill (House) to confer the rights of legitimacy on certain children ;

Bill to establish the Charleston Charitable Association, in the State of South Carolina, for the benefit of the free school fund ;

Bill to grant, renew and amend the charters of certain towns and villages therein mentioned.

The above Bills received their third reading, passed, titles changed to that of Acts, and were ordered to be enrolled for ratification.

The Senate proceeded to the third reading of

Joint Resolution (House) authorizing the Secretary of State to contract with the Southern Domestic Gas Light Company for the illumination of the State House and offices thereof.

The Joint Resolution received its third reading.

Mr. LESLIE moved that the resolving clause of the Resolution be stricken out.

After debate, participated in by Messrs. Leslie, Corbin, Rose, Nash,

On the question of agreeing to the motion of the Senator from Barnwell,

Mr. CORBIN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Barber, Beckman, Dickson, Leslie, McIntyre, Nash, Owens, Smalls, Swails, Wimbush —10.

Nays—Messrs. Allen, Arnim, Cardozo, Clinton, Corbin, Duncan, Gaillard, Greene, Hayes, Hayne, Hollinshead, Johnston, Maxwell, Rose, Whittemore, Wilson.—16.

So the Senate refused to strike out the resolving clause.

Mr. LESLIE moved that the further consideration of the Resolution be indefinitely postponed.

On the question of agreeing to the motion of the Senator from Barnwell,

Mr. LESLIE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Barber, Beckman, Dickson, Hayes, Holcombe, Leslie, Maxwell, McIntyre, Nash, Owens, Smalls, Swails.—12.

Nays—Messrs. Allen, Arnim, Bieman, Cardozo, Clinton, Corbin, Duncan, Duvall, Gaillard, Greene, Hayne, Hollinshead, Johnston, Rose, Whittemore, Wilson.—16.

So the Senate refused to indefinitely postpone the further consideration of the Resolution.

The Resolution passed, and was ordered to be enrolled for ratification.

RATIFICATION OF ACTS.

The Speaker of the House of Representatives attended in the Senate when the following Acts and Joint Resolutions were duly ratified:

An Act to provide for the government of the South Carolina Institution for the education of the Deaf, Dumb and Blind;

An Act to enable judgment debtors to sell their real and personal property, and to confirm sales already made in conformity with the condition therein specified;

An Act to incorporate the Young Men's Brotherly Association;

An Act to amend an Act entitled "An Act to incorporate the Enterprise Railroad Company, of Charleston, South Carolina;"

An Act to relinquish all the right, title and interest of the State of South Carolina in and to certain real estate whereof one Napoleon B. Pouncey, of Horry, a bastard, died seized, and to vest the same in certain persons therein mentioned;

An Act to regulate the call of the docket of the Supreme Court;

An Act to incorporate the Brewer Gold Mining Company, of South Carolina;

An Act to incorporate the Workingmen's Mutual Benefit Life Assurance Association of South Carolina;

An Act to require the County Commissioners to report to the General Assembly;

An Act to release the lien of the State upon a lot of land in the city of Charleston, owned by the South Carolina Institute, for the promotion of art, mechanical ingenuity and industry, and take a similar lien upon the New Hall erected by said South Carolina Institute;

An Act to incorporate the Union Gold Mining Company of South Carolina;

An Act to authorize the formation of, and to incorporate, the Tugaloo and Chattanooga Railroad Company;

An Act to recharter Cypress Causeway;

An Act to charter the South Carolina Phosphate and Phosphatic River Mining Company, in the State of South Carolina, and to grant to the persons therein named and their associates the right to dig and mine in the beds of the navigable streams and waters of the State of South Carolina for phosphate rocks and phosphatic deposits;

An Act to determine the day of election of the Mayor and Aldermen of the city of Charleston;

An Act to make appropriations and raise supplies for the year commencing November 1, 1870;

An Act to amend an Act entitled "An Act to incorporate the Homestead, Building, Planting and Loan Association of South Carolina;"

An Act to renew and amend the charters of certain religious associations heretofore granted;

An Act to authorize Henry C. Lancaster, Smith Howe and Henry A. Towles to collect wharfage and storage;

An Act to authorize the County Commissioners of Spartanburg, Greenville, Pickens and Oconee Counties, and the authorities of certain towns in those Counties, to provide means to meet the interest on certain bonds;

An Act to authorize and empower Jas. C. Rundlett to establish a wharf in the town of Beaufort;

An Act to incorporate the Columbia, Walterboro and Yemasee Railroad Company;

An Act to incorporate certain religious institutions;

An Act declaring the right of way across the Savannah and Charleston Railroad;

An Act to incorporate and recharter certain Railroad Companies;

An Act to provide for Teachers' Institutes;

An Act to incorporate the Camden Steam Mill Company;

An Act to charter the North-Western Railroad Company, in the State of South Carolina;

Joint Resolution directing part of a certain tax to be devoted to the erection of a Court House and Jail in the town of Manning ;

Joint Resolution to confirm the apportionment made by the Superintendent of Education of the State of South Carolina for the fiscal year ending October 31, 1869 ;

Joint Resolution authorizing the State Auditor and County Commissioners to levy certain taxes ;

Joint Resolution to authorize the County Commissioners of Kershaw County to levy a special tax for the purpose of building a County Jail ;

Joint Resolution to authorize the State Treasurer to re-issue to W. B. Pringle, executor of Mrs. Bertha Skirving, certificate of State stock.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Bill to incorporate the Winyah Guards, of Georgetown.

The Bill received its third reading, passed, title changed to that of an Act, and ordered to be enrolled for ratification.

A Bill to create a debt of the State of South Carolina, to be known as the Sterling Funded Debt, the same, or the proceeds thereof, to be exclusively used in exchange for or in payment of the existing public debt of the State.

The Bill received its third reading.

Mr. WHITTEMORE, pursuant to notice, moved to amend, on the third reading, by striking out Section 10, and inserting in lieu thereof the following :

SEC. 10. That this Act shall not take effect unless it is ratified by the qualified voters of the State, and the Governor shall call a general election for that purpose; and at said election there shall be two ballots, upon one shall be printed, "To create a debt of the State of South Carolina to be known as the Sterling Funded Debt, the same, or the proceeds thereof, to be exclusively used in exchange for or in payment of the existing public debt of said State—Yes;" and upon the other shall be printed, "To create a debt of the State of South Carolina to be known as the Sterling Funded Debt, the same, or the proceeds thereof, to be exclusively used in exchange for or in payment of the existing public debt of said State—No." And if two-thirds of the qualified voters voting at said election shall vote "Yes," then this Act shall be in force; but if two-thirds of the qualified voters at said election shall vote "No," then this Act shall be of no effect, and the provisions of the same shall be null and void.

After debate, participated in by Messrs. Leslie, Whittemore,

Mr. LESLIE moved that the further consideration of the amendment of the Senator from Darlington be indefinitely postponed.

On the question of agreeing to the motion of the Senator from Barnwell,

Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Barber, Beckman, Cardozo, Clinton, Corbin, Duncan, Gaillard, Greene, Hayes, Hayne, Hollinshead, Johnston, Leslie, Maxwell, Montgomery, McIntyre, Nash, Owens, Rose, Smalls, Swails, Wimbush—23.

Nays—Messrs. Arnim, Bieman, Dickson, Duvall, Foster, Holcombe, Whittemore, Wilson—8.

So the further consideration of the amendment of the Senator from Darlington was indefinitely postponed.

Mr. WHITTEMORE offered the following amendment:

Insert in Section 6, line 6, after "General," "and the Comptroller-General shall annually report to the General Assembly of South Carolina on or before December 15. And such Report shall show the number of the bonds so redeemed and cancelled, and to what loan they severally appertain, and whether exchanged for the bonds herein authorized or paid for out of the proceeds of the sale of the bonds herein authorized, and the rate of said exchange or the price for which the several bonds were bought or sold. And the Comptroller-General shall, at the same time, report to the General Assembly the number and denomination of the bonds drawn, as provided for in Section 5 of this Act on account of the Sinking Fund, and the loans to which they belong, and who were present at the drawings, and certified to the same. And the State Treasurer shall keep in his office a registry of all bonds redeemed or cancelled or exchanged or purchased on account of the Sinking Fund, as provided for in this Act."

Mr. LESLIE moved that the further consideration of the amendment of the Senator from Darlington be indefinitely postponed.

After debate, participated in by Messrs. Leslie, Whittemore,

On the question of agreeing to the motion of the Senator from Barnwell,

Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Arnim, Barber, Beckman, Cardozo, Clinton, Corbin, Duncan, Gaillard, Greene, Hayes, Hayne, Hollinshead, Johnston, Leslie, Maxwell, Montgomery, McIntyre, Owens, Rose, Smalls, Swails, Wimbush.—23.

Nays—Messrs. Bieman, Dickson, Duvall, Foster, Holcombe, Nash, Whittemore, Wilson.—8.

So the further consideration of the amendment of the Senator from **Darlington** was indefinitely postponed.

Mr. WHITTEMORE offered the following amendment :

Strike out the words "to create a" in the enacting clause, and insert "to increase the."

Also, at the end of the enacting clause insert "at maturity."

The amendment of the Senator from **Darlington** was not seconded.

On the question : "Shall the Bill pass?"

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Arnim, Barber, Beckman, Cardozo, Clinton, Corbin, Duncan, Gaillard, Greene, Hayes, Hayne, Hollinshead, Johnston, Leslie, Maxwell, Montgomery, McIntyre, Nash, Owens, Rose, Smalls, Swails, Wimbush.—24.

Nays—Messrs. Bieman, Dickson, Duvall, Foster, Holcombe, Whittemore, Wilson —7.

So the Bill passed, and was ordered to be returned to the House of Representatives for concurrence in amendments.

Bill (House) to amend and extend the charter of the Planters' and Mechanics' Bank, of South Carolina, and for other purposes therein named.

The Bill received its third reading.

On motion of **Mr. CORBIN**, and in accordance with previous notice, the Bill was amended on the third reading by the addition of the following Section :

"SECTION 10. This Act shall not be construed to exempt any of the Banks named, from State or municipal taxation."

The Bill, as amended, passed, and was ordered to be returned to the House of Representatives for concurrence in amendments.

Bill to incorporate the Kemasee and Millen Railroad Company.

The Bill received its third reading.

On motion of **Mr. SMALLS**, Section 1 of the Bill was amended, by inserting after the name "H. H. Montgomery," the names "George Waterhouse, J. C. Mayo, J. W. Crofut, H. M. Stewart, Sr., H. J. Maxwell."

The Bill, as amended, passed, title changed to that of an Act, and ordered to be engrossed for ratification.

Mr. HAYES, from the Committee on Claims, to whom was referred Report of House Committee on Claims on the accounts of J. M. Vaughan, for services rendered as Constable, reported back the same, with a recommendation that the accounts be referred to the Comptroller General, and the Committee discharged.

The question was taken on agreeing to the Report, decided in the affirmative, and a message sent to the House of Representatives accordingly.

Mr. HAYES, from the Committee on Claims, to whom was referred the Report of the House Committee on Claims on the account of E. Cain and others, Deputy State Constables, reported back the same, with a recommendation that the Report of the House Committee be not concurred in.

The question was taken on agreeing to the Report, decided in the affirmative, and a message sent to the House of Representatives accordingly.

PAPERS FROM THE HOUSE OF REPRESENTATIVES

The House sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., March 7, 1871.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that they have adopted the Report of Committee on Conference, and receded from amendment to Senate Bill to more effectually provide for the recording of all conveyances of real estate.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker House of Representatives.

The House also sent to the Senate,

Concurrent Resolution requesting the President of the United States to send troops into this State.

On motion of Mr. SWAILS, the Resolution was concurred in, and ordered to be returned to the House of Representatives.

The House returned to the Senate, with amendments,

A Bill to renew the charter of a Ferry, known as the Ashepoo Ferry.

The amendments were concurred in.

Ordered, That the title of the Bill be changed to that of an Act, and that it be enrolled for ratification.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Mr. HAYNE desired to be recorded on the Journal, on the question of agreeing to the address to His Excellency the Governor for the removal of William M. Thomas, Judge of the Sixth Circuit, as voting, had he been present, in the affirmative.

The Senate proceeded to the consideration of

Bill (House) to repeal the charter of Rantowle's Bridge, to make the same a public highway.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Bill (House) to permit William V. Myers to adopt and make his lawful heir Dora V. Baxter, and to change the name of the said Dora V. Baxter to Dora V. Myers.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Bill (House) to regulate passenger fares on railroads.

The Bill was taken up for a second reading.

On motion of Mr. SMALLS, the further consideration of the Bill was postponed to the next regular session of the General Assembly.

On motion of Mr. CARDOZO, it was

Resolved, That when the Senate adjourns it shall stand adjourned to meet this day at 7:30 P. M.

On motion of Mr. WHITTEMORE, at 12:30 P. M., the Senate adjourned.

EVENING SESSION.

The Senate re-assembled at 7:30 P. M., and was called to order by the President, Hon. A. J. RANSIER.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

PROTEST.

Mr. WHITTEMORE presented the following protest, which was read, and ordered to be entered on the Journal:

SENATE CHAMBER, COLUMBIA, S. C., March 7th, 1871.

We, the undersigned, members of the Senate, protest against the passage of a Bill entitled "A Bill to create a debt of the State of South Carolina, to be known as the Sterling Funded Debt, the same, or the proceeds thereof, to be exclusively used in exchange for, or in payment of, the existing public debt of the State," for the following reasons:

1. Because to create any further debt at the present time is unwise and unnecessary.

2. Because "the existing debt of the State" is unknown, and a correct knowledge of it cannot be obtained

3. Because it is admitted by the champion of this Bill and its friends, that the financial managers named in its text are not the proper persons to be clothed with such a fiscal trust.

4. Because it will increase the burden of taxation, now already oppressive, and swell the aggregate of the interest on "the existing" and "the Sterling Funded Debt" to the amount of one million ten thousand dollars, or at the rate of six mills per dollar per annum upon all the property of the State of South Carolina.

5. Because the agent or agents who are to negotiate and manage the proceeds of the sales of the six millions in sterling bonds for twenty years to come, are not required in any way to give security of any kind for the enormous trust confided to them.

6. Because the question of such a large indebtedness, viz: Six millions of dollars in gold, the largest ever, at any one time, in the history of the legislation of the State of South Carolina authorized, should have been submitted to the qualified voters of the State for their approval or rejection before the General Assembly put it beyond their power to control

7. Because the credit of the State must be impaired as the column of its indebtedness is increased.

8. Because the excessive taxation that is to follow this new created debt will produce discontent and dissatisfaction throughout the whole State, and inspire an opposition to the government that will disrupt the peace, and increase the disorder now so threatening and deplored in our communities.

B. F. WHITEMORE,
E. E. DICKSON,
W. E. HOLCOMBE,
JOHN WILSON,
G. W. DUVALL,
D. BIEMAN,
J. FOSTER.

REPORTS OF COMMITTEES.

Mr. WIMBUSH, from the Committee on Claims, to whom was referred the claims of T. Carroll, Wm. Kline, Wm. Johnson, G. Ziegler, J. Haygood, S. Groves, R. Long, W. W. Woodward, H. B. Fox, Wm. Dyckes, Martin Skinner and others, reported back the same, with a recommendation that they be paid.

The Report was agreed to, and ordered to be sent to the House of Representatives for concurrence.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported that the following Acts and Joint Resolution, having been duly enrolled, sealed and ratified, were presented for approval to His Excellency the Governor, at 2:30 P. M., this day :

An Act to charter the South Carolina Phosphatic River Mining Company, in the State of South Carolina, and to grant to the persons therein named, and their associates, the right to dig and mine in the beds of the navigable streams and waters of the State of South Carolina for phosphate rocks and phosphatic deposits ;

An Act to enable judgment debtors to sell their real and personal property, and to confirm sales already made in conformity with conditions therein specified ;

An Act to amend an Act entitled " An Act to incorporate the Enterprise Railroad Company of Charleston, S. C. ;"

An Act to relinquish all the right and title and interest of the State of South Carolina in and to certain real estate whereof one Napoleon B. Pouncey, of Horry, a bastard, died seized, and vest the same in certain persons therein mentioned ;

An Act to regulate the call of the docket of the Supreme Court ;

An Act to release the lien of the State upon a lot of land in the city of Charleston, owned by South Carolina Institute, for the promotion of art, mechanical ingenuity and industry, and take a similar lien upon the New Hall, erected by said South Carolina Institute.

An Act to require the County Commissioners to report to the General Assembly ;

An Act to authorize the formation of, and to incorporate, the Tugaloo and Chattanooga Railroad Company ;

An Act to incorporate the Union Gold Mining Company, of South Carolina ;

An Act to incorporate the Workingmen's Mutual Benefit Life Association, of South Carolina ;

An Act to provide for the government of the South Carolina Institute for the Education of the Deaf, Dumb and the Blind ;

An Act to incorporate the Young Men's Brotherly Association ;

An Act to incorporate the Brewer Gold Mining Company, of South Carolina ;

Joint Resolution directing part of a certain tax to be devoted to the erection of a court house, and jail in Manning.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders.

Bill (House) to establish Big House Ferry, in Beaufort County.

On motion of Mr. LESLIE, the Senate proceeded to the consideration of

Joint Resolution authorizing the State Treasurer to re-issue a certificate of State Stock to Rinah Cohen.

The Joint Resolution received its third reading.

On motion of Mr. LESLIE, the Resolution was amended by striking out all after the enacting clause, and inserting in lieu thereof the following :

“ That the State Treasurer is hereby authorized and directed to issue certificate of State of South Carolina stock, No. 53, for \$3,000, due July 1st, 1870, interest 6 per cent. ; No. 72, for \$1,000, due August 4th, 1870, interest 6 per cent., to Rinah S. Cohen, Executrix estate S. J. Cohen.”

The Resolution, as amended, passed, and was ordered to be enrolled for ratification.

The Senate proceeded to the consideration of

Bill (House) to incorporate the Bentford & Mazyck Ethiopian Troupe.

The Bill was taken up for a second reading.

On motion of Mr. HAYNE, the further consideration of the Bill was postponed to the next regular session.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Messages Nos. 64 and 65 from His Excellency the Governor were presented to the Senate by Mr. W. F. Hague, Assistant Private Secretary.

Message No. 64 was read, as follows :

STATE OF SOUTH CAROLINA,

EXECUTIVE DEPARTMENT,

COLUMBIA, March 7, 1871.

Honorable President of the Senate.

SIR—I have the honor to inform you that I have this day approved and signed the following Acts and Joint Resolution, to wit :

An Act to release the lien of the State upon a lot of land in the city of Charleston owned by the South Carolina Institute for the Promotion of Art, Mechanical Ingenuity and Industry, and take a similar lien upon the new hall erected by said South Carolina Institute ;

An Act to incorporate the Brewer Gold Mining Company of South Carolina ;

An Act to incorporate the Young Men's Brotherly Association ;

An Act to provide for the government of the South Carolina Institution for the Education of the Deaf, Dumb and the Blind ;

An Act to incorporate the Workingmen's Mutual Benefit Life Assurance Association of South Carolina ;

An Act to incorporate the Union Gold Mining Company of South Carolina ;

An Act to authorize the formation of, and to incorporate, the Tugaloo and Chattanooga Railroad Company ;

An Act to require County Commissioners to report to the General Assembly ;

An Act to relinquish all the right, title and interest of the State of South Carolina in and to certain real estate whereof one Napoleon B. Pouncey, of Horry, a bastard, died seized, and vest the same in certain persons therein mentioned ;

An Act to regulate the call of the docket of the Supreme Court ;

An Act to enable judgment debtors to sell their real and personal property, and to confirm sales already made in conformity with conditions therein specified ;

Joint Resolution directing part of a certain tax to be devoted to the erection of a Court House and Jail in Manning.

Very respectfully,

ROBERT K. SCOTT, Governor.

Message No 65, was read as follows :

STATE OF SOUTH CAROLINA,

EXECUTIVE DEPARTMENT,

COLUMBIA, March 7, 1871.

To the Honorable the Senate of the State of South Carolina :

GENTLEMEN : I return to your honorable body, without my approval, An Act appropriating \$265,000 for Legislative expenses, for the following reasons, to wit :

First. I regard the expenditure of the money already appropriated during this session, and the sum included in this Bill, amounting in the aggregate to four hundred thousand (400,000) dollars, as simply enormous for one session of the Legislature. It is beyond the comprehension of any one, how the General Assembly could legitimately expend one-half that amount of money. I cannot refrain from expressing the opinion that there must have been some secret agency in fixing the sum at that amount, as a number of the members, both of the House and Senate, have

expressed their surprise at finding the appropriation changed from one hundred and twenty-five thousand (125,000) dollars, as it was believed to have passed, to that of two hundred and sixty-five thousand (265,000) dollars. I regret the necessity of returning the Act without my approval on the last day of the session, but to do otherwise, I feel that I would be recreant to the duties imposed upon me by becoming a party to a wrong by which the whole people would be made to suffer.

I might give many other cogent reasons why this Bill should not become a law, but time prevents my doing other than giving it my unqualified disapproval, believing that the members of the General Assembly will themselves correct an error that must have crept into the Bill clandestinely in its enrollment.

Very respectfully,

ROBERT K. SCOTT, Governor.

On the question, "Shall this Act become a law, the objection of His Excellency the Governor to the contrary notwithstanding?"

After debate, participated in by Messrs. Leslie, Corbin, Smalls, Swails, Hayne, Maxwell, Whittemore,

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Beckman, Gaillard, Hayne, Johnston, Leslie, Owens, Swails.—8.

Nays—Messrs. Barber, Bieman, Cardozo, Clinton, Corbin, Dickson, Duncan, Duvall, Foster, Greene, Holcombe, Hollinshead, Maxwell, Montgomery, McIntyre, Nash, Rose, Smalls, Whittemore, Wilson, Wimbush.—21.

So the Senate refused to pass the Act.

Mr. WHITTEMORE introduced the following Resolution:

Resolved by the Senate, the House of Representatives concurring, That the present session of the General Assembly be extended to the 11th instant, at 2 P. M., on which day the General Assembly shall adjourn *sine die*.

Mr. SWAILS moved that the Resolution be ordered to lie on the table.

On the question of agreeing to the motion of the Senator from Williamsburg,

Mr. SMALLS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Allen, Arnim, Barber, Bieman, Beckman, Corbin, Foster, Smalls, Swails.—8.

Nays—Messrs. Cardozo, Clinton, Dickson, Duncan, Duvall, Gaillard, Greene, Hayne, Holcombe, Hollinshead, Johnston, Leslie, Maxwell, McIntyre, Nash, Owens, Rose, Whittemore, Wilson, Wimbush.—20.

So the Senate refused to lay the Resolution on the table.

On motion of Mr. WHITTEMORE, the further consideration of the Resolution was postponed, and made the Special Order for 10:30 P. M.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed, and ready for ratification, the following Acts and Joint Resolutions :

An Act to amend an Act entitled "An Act to define the jurisdiction and duties of the County Commissioners;"

An Act to amend an Act entitled "An Act to regulate the agencies of Insurance Companies not incorporated in the State of South Carolina;"

An Act to charter the Yemasee and Millen Railroad Company, in the State of South Carolina ;

An Act to incorporate the Waccamaw and Little River Canal ;

An Act to re-charter Maxwell's Bridge, over Seneca River, in Oconee County ;

An Act to provide for the redemption of certain lands, sold under order of General E. R. S. Canby, for taxes ;

An Act to empower the State to maintain the beneficiaries in the Lunatic Asylum, instead of the several Counties ;

An Act to amend and extend the charter of the Planters' and Mechanics' Bank, of South Carolina, and for other purposes therein named ;

An Act to regulate the manner of drawing Juries ;

An Act to permit Burns D. Myers to adopt and make his lawful heirs H. Margaret Grimes and W. Burns Grimes, and to change the name of the said H. Margaret Grimes to H. Margaret Myers, and the name of W. Burns Grimes to W. Burns Myers ;

An Act to protect the interest of the State whenever payment of interest now due remains unpaid on bonds issued by any Railroad Company, wherever the guarantee of the State is endorsed ;

An Act to authorize and require the County Commissioners of Barnwell County to establish a road from Blackville to Allendale.

Joint Resolution authorizing the State Treasurer to re-issue stock of the State of South Carolina ;

Joint Resolution to pay William B. Timmons two hundred and thirty-three dollars and forty-four cents ;

Joint Resolution to extend the time for the completion of the Port Royal Railroad ;

Joint Resolution authorizing the County Commissioners of Marlboro County to levy a special tax ;

Joint Resolution to provide for the publication of certain Statutes of this State, and Journals of the General Assembly thereof ;

An Act to confer the right of legitimacy on certain children ;

An Act to amend an Act entitled "An Act establishing a line beyond

which, the wharves shall not be extended in the city of Charleston, and for other purposes," ratified the 21st day of December, A. D. 1836 ;

An Act to amend an Act entitled " An Act to provide for the conversion of State securities ;"

An Act to alter and renew the charter of the town of Manning ;

An Act to establish a new judicial and election County from portions of the Counties of Barnwell, Edgefield, Lexington and Orangeburg, to be known as Aiken County ;

An Act to incorporate the Capital Building and Loan Association, of Columbia ;

An Act to regulate the disposition of fines and penalties imposed and collected in criminal cases by the Circuit Court of General Sessions, and Trial Justices.

An Act to amend an Act entitled " An Act to organize the Supreme Court ;"

An Act to extend the limits of the town of Camden ;

An Act to provide for the construction and repairs of public highways ;

An Act to incorporate the Winyah Guards, of Georgetown, South Carolina ;

An Act to empower, authorize and require the County Commissioners of Orangeburg County to build a bridge across the North Fork of Edisto River, and establish a road therefrom to the town of Branchville ;

An Act to grant, renew and amend the charters of certain towns and villages therein mentioned ;

An Act to vest the right and title of the State in and to certain escheated property in a certain person therein mentioned ;

An Act to renew the charter of the ferry known as Ashepoo Ferry ;

An Act to establish a ferry across the Catawba River, near the late John S. Perry's mill, and for other purposes ;

An Act to amend an Act entitled " An Act to revise, simplify and abridge the rules, practice, pleadings and forms of the Courts in this State ;

An Act to amend an Act entitled " An Act to regulate the formation of corporations," approved December 10, 1869 ;

An Act to establish the Charleston Charitable Association, of the State of South Carolina, for the benefit of the free school fund ;

An Act to alter and amend an Act entitled " An Act to alter and amend the charter of the city of Greenville ;"

An Act to charter the Jacksonboro' Ferry ;

An Act to incorporate Healing Springs Baptist Church, in Barnwell County, South Carolina ;

An Act to amend Section 22 of the Code of Procedure ;

An Act entitled " An Act for the better protection of migratory fish."

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the above Acts and Joint Resolutions.

RATIFICATION OF ACTS.

The Speaker of the House of Representatives attended in the Senate, when the following Acts and Joint Resolutions were duly ratified :

An Act to grant, renew and amend the charters of certain towns and villages therein mentioned ;

An Act to incorporate the Lebanon Presbyterian Church, of Fairfield ;

An Act to extend the limits of the town of Camden ;

An Act to incorporate the Capital Building and Loan Association, of Columbia ;

An Act declaring a tract of land consisting of one hundred acres, in the County of Fairfield, as escheated to the State, and to vest the title of the same in the Trustees of Ridgeway Academy ;

An Act to establish a new judicial and election County from portions of the Counties of Barnwell, Edgefield, Lexington and Orangeburg, to be known as Aiken County ;

An Act to confer the rights of legitimacy on certain children ;

An Act to establish the Charleston Charitable Association, of the State of South Carolina, for the benefit of the free school fund ;

An Act to incorporate the Winyah Guards, of Georgetown, South Carolina ;

An Act to empower, authorize and require the County Commissioners of Orangeburg County to build a bridge across the North Fork of Edisto River, and establishing a road therefrom to the town of Branchville ;

An Act to charter the Yemassee and Millen Railroad Company, in the State of South Carolina ;

An Act to regulate the manner of drawing juries ;

An Act to permit Burns D. Myers to adopt and make his lawful heirs H. Margaret Grimes and W. Burns Grimes, and to change the name of the said H. Margaret Grimes to H. Margaret Myers, and the name of W. Burns Grimes to W. Burns Myers ;

Joint Resolution authorizing the State Treasurer to re-issue stock of the State of South Carolina ;

Joint Resolution directing the State Treasurer to refund to Messrs. Risley & Creighton six hundred and three dollars and seventy-eight cents taxes, overpaid by them ;

An Act to recharter Maxwell's Bridge, over Seneca River, in Oconee County ;

An Act to provide for the redemption of certain lands sold under order of Gen. E. R. S. Canby for taxes ;

An Act to amend an Act entitled "An Act to provide for the conversion of State securities;"

An Act to incorporate the Waccamaw and Little River Canal Company;

An Act to empower the State to maintain the beneficiaries in the Llanatic Asylum, instead of the several Counties;

An Act to amend an Act entitled "An Act providing for the assessment and taxation of property," passed the fifteenth day of September, 1868, and all Acts amendatory thereto;

An Act to amend and extend the charter of the Planters' and Mechanics' Bank of South Carolina, and for other purposes therein named;

An Act to authorize and require the County Commissioners of Barnwell County to establish a road from Blackville to Allendale;

An Act to amend an Act entitled "An Act to define the jurisdiction and duties of the County Commissioners;"

An Act to regulate the disposition of fines and penalties imposed and collected in criminal causes by the Circuit Court of General Sessions and Trial Justices;

Joint Resolution to allow J. M. Plowden, of Clarendon County, forfeited lands;

Joint Resolution authorizing the Secretary of State to contract with the Southern Gas Light Company for the illumination of the State House and public offices therein;

Joint Resolution to provide for the re-publication of certain Statutes of the General Assembly thereof;

An Act to renew the charter of the ferry known as Ashepoo Ferry;

An Act to amend an Act entitled "An Act to regulate the agencies of insurance companies not incorporated in the State of South Carolina;"

An Act to amend an Act entitled "An Act to define the jurisdiction and duties of the County Commissioners;"

An Act to renew and amend the charter of the town of Anderson;

An Act to further amend an Act entitled "An Act providing for the assessment and taxation of property;"

An Act to incorporate the Pleasant Grove Baptist Church, in Darlington County, South Carolina;

An Act to amend Section 22 of the Code of Procedure;

An Act to incorporate the Healing Spring Baptist Church, in Barnwell County, South Carolina;

An Act to amend an Act entitled "An Act to revise, simplify and abridge the rules, practice, pleadings and forms of the Courts in this State;"

An Act to establish a ferry across the Catawba River, near the late Jno. S. Perry's Mill, and for other purposes;

An Act to vest the right and title of the State in and to certain escheated property in a certain person therein mentioned ;

An Act entitled " An Act for the better protection of migratory fish ;"

An Act to amend an Act entitled " An Act to organize the Supreme Court ;"

Joint Resolution authorizing the County Commissioners of Lancaster County to levy a special tax ;

Joint Resolution authorizing the Attorney-General to purchase a fire proof safe for use in the Attorney-General's office ;

An Act to renew the charter of the German Evangelical Lutheran Church, of Charleston ;

An Act to amend an Act entitled " An Act to define the criminal jurisdiction of Trial Justices," approved March 1, 1870 ;

An Act to incorporate the town of Florence ;

Joint Resolution to extend the time for the completion of the Port Royal Railroad ;

Joint Resolution authorizing the County Commissioners of Marlboro County to levy a special tax ;

Joint Resolution to pay Wm. B. Timmons two hundred and thirty-three dollars and forty-four cents ;

An Act to incorporate the Continental Telegraph Company ;

An Act to create a debt of the State of South Carolina, to be known as the Sterling Funded Debt, the same, or the proceeds thereof, to be exclusively used in exchange for, or in payment of, the existing public debt of the State.

An Act to alter and amend an Act entitled " An Act to alter and amend the charter of the City of Greenville."

An Act to charter the Jacksonboro Ferry.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

A Bill to provide for the relinquishment to the United States, in certain cases, of title to lands for sites of light stations on the coasts and waters of this State.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M.

Message No. 59 of His Excellency the Governor, returning, with his

objections, an Act to compel County Treasurers to receive County checks in payment for County taxes, and other purposes.

On the question, "Shall the Act pass, the objections of His Excellency the Governor to the contrary notwithstanding?"

The yeas and nays were taken, and resulted as follows :

Yeas—Messrs. Allen, Hayne, Leslie, Owens.—4.

Nays—Messrs. Beckman, Clinton, Corbin, Dickson, Duncan, Duvall, Foster, Gaillard, Greene, Johnston, Maxwell, McIntyre, Nash, Rose, Smalls, Swails, Whittemore, Wilson, Wimbush.—19.

So the Senate refused to pass the Act.

GENERAL ORDERS.

The Senate resumed the consideration of General Orders on the Calendar.

Joint Resolution (House) to authorize the Governor to have the flooring and roof of the State House repaired.

The Joint Resolution received its second reading.

On motion of Mr. SMALLS, the resolving clause of the Resolution was stricken out, and a message sent to the House of Representatives accordingly.

Joint Resolution (House) to require the Governor to communicate with the proper authorities of the State of Georgia, with a view to the readjustment of the boundary line between the States of Georgia and South Carolina, and authorizing the appointment of three Commissioners.

The Joint Resolution received its second reading.

On motion of Mr. SMALLS, the further consideration of the Resolution was postponed to the next regular session.

Joint Resolution (House) authorizing J. A. Mayes, Executor, to sell certain lands, and apply the proceeds thereof to the education of the minor heirs.

The Joint Resolution was taken up for a second reading.

On motion of Mr. SMALLS, the further consideration of the Resolution was postponed to the next regular session of the General Assembly.

Bill (House) to authorize E. F. English to build a wharf and collect wharfage at Port Royal City.

The Bill was taken up for a second reading.

On motion of Mr. SMALLS, the further consideration of the Bill was postponed to the next regular session of the General Assembly.

Bill (House) to regulate the manufacturing and sale of commercial fertilizers in the State of South Carolina.

On motion of Mr. SMALLS, the further consideration of the Bill was postponed to the next regular session of the General Assembly.

On motion of Mr. SMALLS, the consideration of the remaining Gene-

ral Orders on the Calendar was postponed to the next regular session of the General Assembly, to wit:

Bill to create a sinking fund for the payment of the principal of the public debt of South Carolina.

Bill (House) to charter the Union and Greenville Railroad Company. Second reading.

Bill (House) to incorporate the Wadmalaw Light Guard. Second reading.

Bill (House) to declare the rights of common carriers. Second reading.

Report (favorable) of Committee on Incorporations, on Bill to amend the charter of the town of Georgetown.

Report (favorable) of Committee on Incorporations on Bill to renew the charter of Strawberry Ferry, over the Cooper River.

Report (favorable) of Committee on Incorporations on Bill to incorporate the Young Men's Africanus Debating Club.

Report (unfavorable) of Committee on Incorporations on Bill to incorporate the Sons and Daughters of Zion.

Report (unfavorable) of Committee on Incorporations on Bill to renew and amend the charter of certain religious associations heretofore granted.

Report (unfavorable) of Judiciary Committee on Bill to prohibit disguises.

Report of Committee on the Military on Bill to amend an Act to organize and govern the militia of the State of South Carolina.

Bill (by Mr. Whittemore) to incorporate the Collateral Loan and Deposit Bank. Second reading.

Bill (by Mr. Whittemore) to protect the finances and credit of the State of South Carolina.

Bill (by Mr. Leslie) to amend an Act entitled "An Act to regulate the manner of keeping and disbursing funds by certain officers." Second reading.

Resolution (by Mr. Whittemore) requesting certain information from the Financial Agent of the State.

Joint Resolution (by Mr. Whittemore) relative to the loan of the State credit. Second reading.

Joint Resolution (by Mr. Whittemore) to select one of the Trust Companies of New York as registry of the State bonds. Second reading.

Report of Judiciary Committee on Bill to amend the second clause of the eighteenth Section of an Act to revise, simplify and abridge the Rules, Practice, Pleadings and Forms of Courts in this State.

Report of Judiciary Committee on a Bill to amend an Act to define the jurisdiction and regulate the practice of Probate Courts.

Report of the Judiciary Committee on a Bill to amend an Act entitled "An Act to revise, simplify and abridge the Rules, Practice, Pleadings and Forms of Courts in this State."

Bill (by Committee on the Judiciary) to amend Section 23 of the Code of Procedure.

Bill (by Mr. Dickson) to amend an Act entitled "An Act to regulate the pay and fix the salaries of certain officers." Second reading.

Bill (by Mr. McIntyre) to repeal Section 279, Title VIII, Chapter —, of the Code of Procedure. Second reading.

Bill (House) to amend the first clause of Section 25, Title 3, of an Act entitled "An Act to revise, simplify and abridge the rules, practice, pleadings and forms of Courts in this State," approved March 1, 1870. Second reading.

Report of Judiciary Committee on Bill to amend an Act entitled "An Act to regulate the fees of Probate Judges, Clerks of Courts, Trial Justices and Magistrates, and other officers herein mentioned."

Report of Judiciary Committee on Bill to authorize Clerks of Courts to perform all the duties heretofore performed by Commissioners in Equity, as defined on the first day of January, 1869.

Bill (by Mr. Corbin) for the protection of buoys and beacons. Second reading.

Report of Committee on the Judiciary on Bill to create the County of Coosawhatchie.

Report of Judiciary Committee on Bill to amend so much of an Act entitled "An Act to revise, simplify and abridge the rules, practice, pleadings and forms of Courts in this State," as pertains to the Third, Fourth and Fifth Judicial Circuits.

Report of Judiciary Committee on Bill to amend Section 18 of the Code of Procedure.

Report of Judiciary Committee on Concurrent Resolution to authorize the State Librarian to transfer certain volumes of Law Reports in the State Library to the Supreme Court.

Concurrent Resolution (by Mr. Whittemore) to employ the services of John T. Sloan to collect and collate the manuscript documents now in the basement of the College Library.

Report of Joint Committee appointed to investigate the affairs of the Sinking Fund Commission.

Bill (by Mr. Whittemore) to sell the lands purchased by the Land Commission in this State at public auction. Second reading.

Bill (by Mr. Corbin) to renew the charter of the People's Bank of South Carolina. Second reading.

Bill (by Mr. Corbin) to renew and extend the charter of the Roman Catholic Church of St. Mary's, Charleston. Second reading.

Bill (House) to prohibit the bringing of paupers into the State of South Carolina. Second reading.

Bill (by Mr. Whittemore) to provide for the withdrawal of the State endorsement on the bonds of the Blue Ridge Railroad Company. Second reading.

Bill (by Mr. Whittemore) to retire and cancel the hypothecated Blue Ridge Railroad Company bonds. Second reading.

Report of the Committee on Incorporations on Bill to amend and extend the charter of the Planters' and Mechanics' Bank of South Carolina.

Bill (House) to incorporate the Shiloh Camp Grounds. Second reading.

Bill (House) to incorporate the Walhalla Hook and Ladder Company, of Walhalla, South Carolina. Second reading.

Bill (House) to validate the action of the County Commissioners of Oconee County in exchanging and conveying the lot ceded to them to build a jail upon. Second reading.

Bill (House) to incorporate the Gowensville Lodge, No. 107, of Ancient Free Masons, of the State of South Carolina. Second reading.

Bill (House) to incorporate the Thomas Guards, of Green Pond, Colleton, South Carolina. Second reading.

Bill (House) defining the jurisdiction of Justices of the Peace, the mode of procedure before them, and the duties of Constables in civil cases. Second reading.

Report (unfavorable) of Committee on Claims and Grievances on the account of F. J. McMaken. Second reading.

On motion of Mr. NASH, the Senate proceeded to the consideration of Report of Committee on Contingent Accounts and Expenses on account of Columbia Gas Light Company.

The Report was read, agreed to, and the account ordered to be paid.

REPORTS OF COMMITTEES.

Mr. LESLIE presented the Report of the Joint Committee appointed to investigate affairs of the Charleston County Commissioners, together with the testimony.

The Report was read.

Mr. LESLIE moved that the Committee be discharged.

The motion of the Senator from Barnwell was not agreed to.

On motion of Mr. CORBIN, the further consideration of the Report was postponed to the next regular session of the General Assembly.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for 10:30 P. M., to-wit:

Concurrent Resolution to extend the time of adjournment of the General Assembly to Saturday, March 11, 1871.

On motion of Mr. WIMBUSH, the further consideration of the Resolution was indefinitely postponed.

EXECUTIVE SESSION.

At 10:30 P. M., on motion of Mr. WHITTEMORE, the Senate went into Executive Session.

After the disposal of Executive Business, the Senate returned to open session.

On motion of Mr. CORBIN, the Senate took a recess for fifteen minutes.

RECESS.

At 11:15 P. M., Hon. D. T. CORBIN, on motion of Mr. CARDOZO, took the chair, and called the Senate to order.

Hon. A. J. RANSIER, President, resumed the chair.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

Concurrent Resolution to appoint a Joint Special Committee to wait upon the Governor and inquire what arrangements can be made for the payment of pay certificates of members and employees of the General Assembly.

The Resolution was concurred in, and the blank filled with the number "two."

Messrs. Whittemore and Duvall were appointed Committee on the part of the Senate, and a message sent to the House of Representatives accordingly.

The House sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., March 7, 1871.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that Messrs. Frost and Whipper have been appointed as Committee on the part of the House, in accordance with a Resolution adopted to appoint a Joint Committee to examine the accounts of the State Treasurer, in accordance with the requirement of Section 5 of an Act to provide for the keeping and disbursing of funds by certain officers.

Very respectfully,

(Signed)

F. J. MOSES, JR.,
Speaker House of Representatives

The House also sent to the Senate,
Report of House Committee on Claims on accounts of H. W. Purvis.
The Report was concurred in and ordered to be returned to the House of Representatives.

The House returned, with concurrence, Report of the Medical Committee of the Senate on the account of Dr. W. L. Templeton.

The House also returned, with concurrence, Report of the Senate Committee on Claims on claims of T. Carroll, Wm. Kline, Wm. Johnston, G. Zeigler, and others.

The Sergeant-at-Arms announced,

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. A. O. Jones, Clerk of the House of Representatives, appeared and informed the Senate that the House, having finished the business before it, was now ready to adjourn, *sine die*.

On motion of Mr. CORBIN, the Clerk of the Senate proceeded to the House of Representatives and informed that body that the Senate, having disposed of the business before it, was now ready to adjourn *sine die*.

REPORTS OF COMMITTEES.

Mr. MAXWELL, from the Committee on Enrolled Acts, reported as having presented, at 10:20 P. M., to His Excellency the Governor, for his approval, the Acts and Joint Resolutions ratified this day at 8:30 P. M.

RESOLUTIONS.

Hon. D. T. CORBIN, on motion of Mr. WHITTEMORE, took the chair.

Mr. WHITTEMORE, after a brief address, introduced the following:

Resolved, That the thanks of the Senate be given the Hon. A. J. Ransier, President of the Senate, for the able and impartial manner with which he has presided over the sessions of the Senate.

The Resolution was unanimously adopted.

Hon. A. J. RANSIER resumed the chair and said:

Gentlemen of the Senate:

Even were I able to speak to you as the occasion would seem to require, time will not permit. Accept my thanks for this additional mark of your friendship. After a long and tedious session of one hundred and

seven days, you are about to return to the bosom of your families and to your constituents, in the just and conscientious expectation of meeting their endorsement of "well done good and faithful servant." You have striven to do your whole duty to the people of South Carolina, irrespective of race or political parties. It has been well said by a Senator, re-elected to the position he now occupies, "thank God, there is a Senate of the State of South Carolina." In all its actions, upon every measure brought before it for consideration, the Senate has deserved the "well done" of the people of South Carolina. It has risen above all party lines; felt and remembered that it represented the entire people of the State; and I feel assured its conservatism has received their unqualified and unanimous approval. It will always be with me a proud recollection that I have had the pleasure and privilege to preside over this body.

I feel deeply indebted to you, Senators, for your kind indulgence with my inexperience as a presiding officer, and for the dignity and decorum which have characterized all the deliberations and proceedings of the Senate during the session. I thank you for the uniform courtesy and kindness you have extended to me upon all occasions. If, in any manner, or at any time, I have wounded the feelings of any Senator upon the floor, I beg it will be regarded as an error of judgment, not of the heart, and forgotten. Again thanking you, Senators, for your kindness, allow me to express the hope that each and every one will have that pleasant re-union with your families and constituents to which you are so eminently entitled for the faithful manner in which you have discharged your duty as legislators for the benefit of the entire people of South Carolina.

The PRESIDENT, at 12, (midnight,) announced the Senate adjourned.

I N D E X

TO

JOURNAL OF THE SENATE

OF THE

STATE OF SOUTH CAROLINA,

BEING THE

REGULAR SESSION OF 1870-'71.

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Hon. G. W. Barber, Fairfield County.	Hon. E. E. Dickson, Clarendon County.
Hon. D. Bieman, Oconee County.	Hon. H. W. Duncan, Union County.
Hon. J. S. Burroughs, Horry County.	Hon. G. W. Duvall, Chesterfield County.
Hon. J. F. Beckman, Georgetown County.	Hon. S. E. Gaillard, Charleston County.
Hon. D. T. Corbin, Charleston County.	Hon. W. E. Holcombe, Pickens County.
Hon. Joel Foster, Spartanburg County.	Hon. J. Hollinshead, Abbeville County.
Hon. Jos. A. Greene, Orangeburg County.	Hon. W. E. Johnston, Sumter County.
Hon. E. S. J. Hayes, Lexington County.	Hon. H. J. Maxwell, Marlboro County.
Hon. H. E. Hayne, Marion County.	Hon. George F. McIntyre, Colleton County.
Hon. C. P. Leslie, Barnwell County.	Hon. W. B. Nash, Richland County.
Hon. C. W. Montgomery, Newberry County.	Hon. S. A. Swails, Williamsburg County.
Hon. Y. J. P. Owens, Laurens County.	Hon. B. F. Whittemore, Darlington County.
Hon. W. E. Rose, York County.	Hon. John Wilson, Anderson County.
Hon. Robert Smalls, Beaufort County.	Hon. L. Wimbush, Chester County.

APPENDIX

TO

SENATE JOURNAL.

61s

PROCEEDINGS OF THE SENATE
PRELIMINARY TO THE TRIAL OF
ARTICLES OF IMPEACHMENT OF T. O. P. VERNON,
Judge of the Seventh Judicial Circuit
OF THE STATE OF SOUTH CAROLINA.

SATURDAY, DECEMBER 17, 1870.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. A. O. Jones, Clerk of the House of Representatives, appeared, and was announced by the Sergeant-at-Arms.

Mr. Jones delivered the following message:

MR. PRESIDENT: I am directed to inform the Senate that the House of Representatives has appointed Hons. W. J. Whipper, F. J. Moses, Jr., Warren D. Wilkes, Aaron Logan and Joseph Crews, a Committee to appear before the bar of the Senate, and there, in the name of the House of Representatives, and of all the people of the State of South Carolina, to impeach T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina, of high crimes and misdemeanors in office, and acquaint the Senate that the House of Representatives will, in due time, exhibit particular articles of impeachment against him, and make good the same, and that said Committee do demand that the Senate take order for the appearance of said T. O. P. Vernon, to answer the same.

A. O. JONES,
Clerk of the House of Representatives.

Hon A. J. RANSIER, President—The Senate has heard the message, and will take order in the premises.

Mr. Jones then retired.

APPENDIX TO SENATE JOURNAL.

COMMITTEE FROM HOUSE OF REPRESENTATIVES.

Representatives W. J. Whipper, F. J. Moses, Jr., Warren D. Wilkes, Aaron Logan, Joseph Crews, appeared, and were announced by the Sergeant-at-Arms as Committee from the House of Representatives.

Mr. WHIPPER read the following:

MR. PRESIDENT: In obedience to the order of the House of Representatives, we appear before you, and in the name of the House of Representatives, and of all the people of the State of South Carolina, we do impeach T. O. P. Vernon, Circuit Judge of the State of South Carolina, in and for the Seventh Circuit thereof, of high crimes and misdemeanors in office; and we further inform the Senate, that the House of Representatives will, in due time, exhibit particular Articles of Impeachment against him, and make good the same, and, in their name, we demand that the Senate do take order for the appearance of the said T. O. P. Vernon, to answer said impeachment.

W. J. WHIPPER,
F. J. MOSES, JR.,
WARREN D. WILKES,
AARON LOGAN,
JOSEPH CREWS,
Committee.

The PRESIDENT—The Senate has heard the message, and will take action in the premises.

The Committee then retired.

Mr. WHITTEMORE introduced the following Resolution:

Whereas, the House of Representatives, on this 17th day of the present month, by five of their members, Messrs. W. J. Whipper, F. J. Moses, Jr., Warren D. Wilkes, Aaron Logan and Joseph Crews, at the bar of the Senate, impeached T. O. P. Vernon, Judge of the Seventh Judicial Circuit of the State of South Carolina, of high crimes and misdemeanors in office, and informed the Senate that the House of Representatives will, in due time, exhibit particular Articles of Impeachment against him, and make good the same, and likewise demand that the Senate take order for the appearance of the said T. O. P. Vernon, to answer to the said impeachment; therefore,

Resolved, That the Senate will take proper order thereon, of which due notice shall be given to the House of Representatives.

Mr. ARNIM moved that the Rule be suspended, and the Resolution considered immediately.

Objection being made, the Resolution was ordered for consideration on Monday next.

MONDAY, DECEMBER 19, 1870.

Mr. ARNIM submitted the following Resolution, which was considered immediately and agreed to :

Resolved, That the message of the House of Representatives relating to the impeachment of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina, be referred to a Select Committee of five, to be appointed by the Chair, to consider and report thereon ; also, to prepare Rules of Procedure and Practice in the Senate, when sitting for the trial of impeachment.

Messrs. Whittemore, Arnim, Montgomery, Wimbush, Wilson, were appointed Committee in accordance with said Resolution.

WEDNESDAY, DECEMBER 21, 1870.

The Senate proceeded to the consideration of Preamble and Resolution submitted by Mr. Whittemore, for the Senate to take order upon the demand of the House for impeachment of T. O. P. Vernon.

On motion of Mr. WHITTEMORE, the Preamble and Resolution were referred to the Special Committee appointed to prepare Rules of Procedure and Practice in the Senate, when sitting for the trial of impeachment.

THURSDAY, DECEMBER 22, 1870.

Mr. ROSE submitted the following Resolution, which was considered immediately, and agreed to :

Resolved, That the Clerk of the Senate be, and he is hereby, authorized to employ such stenographic assistance as may be necessary to report in full the impeachment trial of the Hon. T. O. P. Vernon, Judge of the Seventh Judicial Circuit.

APPENDIX TO SENATE JOURNAL.

THURSDAY, JANUARY 10, 1871.

Mr. A. O. Jones, Clerk of the House of Representatives, appeared and delivered the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., January 9, 1871.

MR. PRESIDENT: I am directed to inform the Senate that the House of Representatives has appointed Honorables W. J. Whipper, F. J. Moses, Jr., Warren D. Wilkes, Aaron Logan and Joseph Crews, Managers to conduct the impeachment against T. O. P. Vernon, Circuit Judge of the State of South Carolina, in and for the Seventh Circuit thereof, and has directed said Managers to carry to the Senate the articles of impeachment, to be exhibited in maintainance of their impeachment against the said T. O. P. Vernon, as soon as the same have been agreed upon by the House.

A. O. JONES,
Clerk of the House of Representatives

WEDNESDAY, JANUARY 11, 1871.

Mr. WHITTEMORE, from the Special Committee appointed to consider and report upon the message of the House of Representatives, relative to the impeachment of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina, submitted a Report, prescribing certain Rules of Proceeding for the Senate, when sitting as a High Court of Impeachment.

Ordered, That the Report be printed.

FRIDAY, JANUARY 13, 1871.

SPECIAL ORDER.

The PRESIDENT announced the hour arrived for the consideration of the Special Order for this day, at 2 P. M., to wit:

Report of Select Committee appointed to consider and report upon the message of the House of Representatives in relation to the impeachment of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina, on Rules of Procedure and Practice in the Senate, when sitting in the trial of impeachment.

The Sergeant-at-Arms announced the Managers of the Impeachment on the part of the House of Representatives.

The PRESIDENT—The Managers will advance within the bar, and take the seats provided therein.

The Managers on the part of the House of Representatives came within the bar.

Mr. Manager W. J. Whipper—Mr. President, the Managers on the part of the House of Representatives, by order of the House of Representatives, are ready, at the bar of the Senate, whenever it may please the Senate to hear them, to present articles of impeachment, and in maintenance of the impeachment against T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina, by the House of Representatives.

The PRESIDENT—The Sergeant-at-Arms of the Senate will make proclamation.

The Sergeant-at-Arms—All persons are commanded to keep silence, on pain of imprisonment, while the House of Representatives is exhibiting to the Senate of South Carolina articles of impeachment against T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina.

Hon. F. J. Moses, Jr., Speaker of the House of Representatives, on the part of the Managers, read the articles of impeachment.

MONDAY, JANUARY 16, 1871.

The following are the Rules adopted by the Senate for Rules of Procedure and Practice in the Senate, when sitting on the trial of impeachments:

RULES OF PROCEDURE AND PRACTICE IN THE SENATE, WHEN SITTING ON THE TRIAL OF IMPEACHMENTS.

I. Whenever the Senate shall receive notice from the House of Representatives that Managers are appointed on their part to conduct an impeachment against any person, and are directed to carry articles of impeachment to the Senate, the Clerk of the Senate shall immediately inform the House of Representatives that the Senate is ready to receive the Managers for the purpose of exhibiting such articles of impeachment, agreeably to said notice.

II. When the Managers of an impeachment shall be introduced at the bar of the Senate, and shall signify that they are ready to exhibit articles of impeachment against any person, the presiding officer of the Senate shall direct the Sergeant-at-Arms to make proclamation; who shall, after making proclamation, repeat these words, viz: "All persons are commanded to keep silence, on pain of imprisonment, while the House of

APPENDIX TO SENATE JOURNAL.

Representatives is exhibiting to the Senate of South Carolina articles of impeachment against —————.” After which the articles shall be exhibited, and then the presiding officer of the Senate shall inform the Managers that the Senate will take proper order on the subject of the impeachment, of which due notice shall be given to the House of Representatives.

III. Upon such articles being presented to the Senate, the Senate shall, at 1 o'clock afternoon of the Tuesday following such presentation, or sooner, if so ordered by the Senate, proceed to the consideration of such articles; and shall continue in session, from day to day, (Sunday excepted), after the trial shall commence (unless otherwise ordered by the Senate) until final judgment shall be rendered, and so much longer as may, in its judgment, be needful. Before proceeding to the consideration of the articles of impeachment, the presiding officer of the Senate shall administer the oath hereinafter provided to the members of the Senate then present, and to the other members of the Senate as they shall appear, whose duty it shall be to take the same.

IV. When the Governor of the State shall be impeached, the Chief Justice of the Supreme Court, or the senior Judge of the State, shall preside, with a casting vote in all preliminary questions. When the Lieutenant-Governor shall be impeached, the President *pro tempore* of the Senate shall preside; and in all other cases of impeachment, the Lieutenant-Governor, or the President of the Senate shall preside; and in a case requiring the Chief Justice, or the senior Judge, to preside, notice shall be given to him, by the presiding officer of the Senate, of the time and place fixed for the consideration of the articles of impeachment, as aforesaid, with a request to attend; and the Chief Justice, or the senior Judge, shall preside over the Senate during the consideration of said articles, and upon the trial of the person impeached therein.

V. The presiding officer shall have power to make and issue, through the Clerk of the Senate, all orders, mandates, writs and precepts authorized by these Rules, or by the Senate, and to make and enforce such other regulations and orders in the premises, as the Senate may authorize or provide.

VI. The Senate shall have power to compel the attendance of witnesses, to enforce obedience to its orders, mandates, writs, precepts and judgments, to preserve order, and to punish, in a summary way, contempts of, and disobedience to, its authority, orders, mandates, writs, precepts or judgments, and to make all lawful orders, rules and regulations which it may deem essential or conducive to the ends of justice. And the Sergeant-at-Arms, under the direction of the Senate, may employ such aid and assistance as may be necessary to enforce, execute and

carry into effect the lawful orders, mandates, writs and precepts of the Senate.

VII. The presiding officer of the Senate shall direct all necessary preparations in the Senate Chamber, and the presiding officer of the trial shall direct all the forms of proceeding while the Senate are sitting for the purpose of trying an impeachment, and all forms, during the trial, not otherwise specially provided for; and the presiding officer of the trial shall rule all questions of evidence, and incidental questions, which ruling shall stand as the judgment of the Senate, unless some member of the Senate, Managers, or respondent's counsel, shall ask that a formal vote be taken thereon; in which case it shall be submitted to the Senate for decision without debate; or he may, at his option, in the first instance, submit any such question to a vote of the members of the Senate.

VIII. Upon the presentation of Articles of Impeachment and the organization of the Senate, as hereinbefore provided, a writ of summons shall issue to the accused, reciting said articles, and notifying him to appear before the Senate, upon a day, and at a place to be fixed by the Senate, and named in such writ, and file his answer to said articles of impeachment, and to stand to and abide the orders and judgments of the Senate thereon; which writs shall be served by such officer or person as shall be named in the precept thereof, such number of days prior to the day fixed for such appearance as shall be named in such precept, either by the delivery of an attested copy thereof to the person accused, or, if that cannot conveniently be done, by leaving such copy at the last known place of abode of such person, or at his usual place of business, in some conspicuous place therein; or, if such service shall be, in the judgment of the Senate, impracticable, notice to the accused to appear shall be given in such other manner, by publication or otherwise, as shall be deemed just; and if the writ aforesaid shall fail of service in the manner aforesaid, the proceedings shall not thereby abate, but further service may be made in such manner as the Senate shall direct. If the accused, after service, shall fail to appear, either in person or by attorney, on the day so fixed therefor, as aforesaid, or, appearing, shall fail to file his answer to such articles of impeachment, the trial shall proceed, nevertheless, as upon a plea of not guilty. If a plea of guilty shall be entered, judgment may be entered thereon, without further proceedings.

IX. At any time after the service of the summons upon the party impeached, the officer making such service shall make his return, and swear to the same before the Clerk of the Senate in the following words, to wit: "I, ———, do solemnly swear that the return made by me, upon the process issued on the ——— day of ———, by the Senate of South Carolina, against ———, is truly made, and that I have per-

formed such service as therein described : So help me God." ~~When~~ oath shall be entered at large on the records.

X. The person impeached shall then be called to appear and ~~answer~~ the articles of impeachment against him. If he appear, or ~~any person~~ for him, the appearance shall be recorded, stating particularly if ~~by himself~~ or by agent or by attorney, naming the person appearing, and the capacity in which he appears. If he do not appear, either personally or by agent or by attorney, the same shall be recorded.

XI. At twelve o'clock and thirty minutes, afternoon of the day appointed for the trial of the impeachment, the Legislative and Executive business of the Senate shall be suspended, and the Clerk shall give notice to the House of Representatives that the Senate is ready to proceed upon the impeachment of _____, in the Senate Chamber, which Chamber is prepared with accommodations for the reception of the House of Representatives.

XII. The hour of assembling, on the day at which the Senate shall sit upon the trial of an impeachment, shall be (unless otherwise ordered 12:30 P. M., and when the hour for such sitting shall arrive, the presiding officer of the Senate shall so announce ; and thereupon the presiding officer upon such trial shall cause proclamation to be made, and the business of the trial shall proceed. The adjournment of the Senate sitting in said trial shall not operate as an adjournment of the Senate ; but on such adjournment the Senate shall resume the consideration of the Legislative and Executive business.

XIII. The Clerk of the Senate shall record the proceedings in cases of impeachment as in the case of legislative proceedings, and the same shall be reported in the same manner as the legislative proceedings of the Senate

XIV. Counsel for the parties shall be admitted to appear, and be heard upon an impeachment.

XV. All motions made by the parties, or their counsel, shall be addressed to the presiding officer, and if he, or any Senator, shall require it, they shall be committed to writing and read at the Clerk's table.

XVI. Witnesses shall be examined by one person on behalf of the party producing them, and then cross-examined by one person on the other side.

XVII. If a Senator is called as a witness he shall be sworn and give his testimony standing in his place.

XVIII. If a Senator wishes a question put to a witness, or to offer a motion or order, (except a motion to adjourn.) it shall be reduced to writing, and put by the presiding officer.

XIX. At all times, while the Senate is sitting upon the trial of an impeachment, the doors of the Senate shall be kept open, unless

the Senate shall direct the doors to be closed while deliberating upon its decisions.

XX. All preliminary or interlocutory questions, and all motions, shall be argued for not exceeding one hour on each side, unless the Senate shall, by order, extend the time.

XXI. The case, on each side, shall be opened by one person. The final argument on the merits may be made by two persons on each side, (unless otherwise ordered by the Senate, upon application for that purpose,) and the argument shall be opened and closed on the part of the House of Representatives.

XXII. On the final question, whether the impeachment is sustained, the yeas and nays shall be taken on each article of impeachment separately; and if the impeachment shall not, upon any of the articles presented, be sustained by the votes of two-thirds of the members elected, a judgment of acquittal shall be entered; but if the person accused in such articles of impeachment shall be convicted upon any of said articles by the votes of two-thirds of the members elected, the Senate shall proceed to pronounce judgment; and a certified copy of such judgment shall be deposited in the office of the Secretary of State.

XXIII All orders and decisions shall be made and had by yeas and nays, which shall be entered upon the record, and without debate; subject, however, to the operation of Rule VII, except when the doors shall be closed for deliberation, and, in that case, no member shall speak more than once on one question, and for not more than ten minutes on any interlocutory question, and for not more than fifteen minutes on the final question, unless by consent of the Senate, to be had without debate; but a motion to adjourn may be decided without the yeas and nays, unless they be demanded by one-fifth of the members present.

XXIV. Witnesses shall be sworn in the following form, namely: "You, ———, do swear (or affirm, as the case may be,) that the evidence you shall give in the case now pending between the State of South Carolina and ———, shall be the truth, the whole truth, and nothing but the truth: So help you God." Which oath shall be administered by the Clerk, or any other duly authorized person.

FORM OF SUBPENA TO BE ISSUED

On the application of the Managers of the Impeachment, or of the party impeached, or of his Counsel.

To ———, greeting:

You, and each of you, are commanded to appear before the Senate of South Carolina, on the ——— day of ———, at the Senate Chamber, in

the city of Columbia, then and there to testify your knowledge of the case which is before the Senate, in which the House of Representatives have impeached ————. Fail not.

Witness, ————, and presiding officer of the Senate, at the city of Columbia, this ——— day of ———, in the year of our Lord ———, and the independence of the United States, the ———.

FORM OF DIRECTION FOR THE SERVICE OF SAID SUBPOENA.

The Senate of the State of South Carolina, greeting :

You are hereby commanded to serve and return the within subpoena according to law.

Dated at Columbia, this ——— day of ———, in the year of our Lord ———, and of the independence of the United States the ———.

Clerk of the Senate.

FORM OF OATH

To be administered to the Members of the Senate, sitting in the Trial of Impeachment.

I solemnly swear (or affirm, as the case may be,) that in all things appertaining to the trial of the impeachment of ———, now pending. I will do impartial justice, according to the Constitution and the laws: So help me God.

FORM OF SUMMONS

To be issued and served upon the person Impeached.

THE STATE OF SOUTH CAROLINA, ss.

The Senate of South Carolina to ———, greeting :

Whereas, the House of Representatives of the State of South Carolina did, on the ——— day of ———, exhibit to the Senate articles of impeachment against you, the said ———, in the words following:

[Here insert the Articles.]

And demand that you, the said ———, be put to answer the accusations as set forth in said Articles, and that such proceedings, examinations, trials and judgments might be thereupon had as are agreeable to law and justice; you, the said ———, are therefore hereby summoned to be and appear before the Senate of South Carolina, at their Chamber,

in the city of Columbia, on the — day of —, at twelve o'clock and thirty minutes, afternoon, then an there to answer to said articles of impeachment, and then and there to abide by, obey, and perform such orders, directions and judgments as the Senate of South Carolina shall make in the premises, according to the Constitution and laws of the State. Hereof you are not to fail

Witness, —, and presiding officer of the said Senate, at the city of Columbia, this — day of —, in the year of our Lord —, and of the independence of the United States the —.

FORM OF PRECEPT TO BE ENDORSED ON SAID WRIT OF SUMMONS.

THE STATE OF SOUTH CAROLINA, ss.

The Senate of South Carolina to — — — — —, greeting :

You are commanded to deliver to and leave with —, if conveniently to be found, if not, to leave at his usual place of abode, or at his usual place of business, in some conspicuous place, a true and attested copy of the written writ of summons, together with a true copy of this precept; and in whichsoever way you perform the service, let it be done at least — days before the appearance day mentioned in said writ of summons.

Fail not, and make return of this writ of summons and precept, with your proceedings thereon endorsed, on or before the appearance day mentioned in the said writ of summons.

Witness, —, and presiding officer of the Senate, at the city of Columbia, this — day of —, in the year of our Lord —, and of the independence of the United States the —

All process shall be served by the Sergeant-at-Arms of the Senate, unless otherwise ordered by the Senate.

XXV. If the Senate shall at any time fail to sit for the consideration of articles of impeachment on the day or hour fixed therefor, the Senate may, by an order to be adopted without debate, fix a day and hour for resuming such consideration.

XXVI. The Clerk of the Senate shall administer the oath provided for in the Rules of Practice and Procedure adopted by the Senate, to be administered to the members of the Senate, sitting in the trial of impeachment, to the presiding officer of the Senate, except in cases otherwise provided for in the Constitution of this State.

ORDER.

Ordered, That during the trial of the impeachment now pending, no persons, besides those who have the privilege of the floor, and Clerks or

the Standing Committees of the Senate, shall be admitted to that portion of the Capitol set apart for the use of the Senate and its officers, except upon tickets issued by the Sergeant-at-Arms. The number of tickets shall not exceed eight hundred. Tickets shall be numbered and dated, and be good only for the day on which they are dated.

Second. A portion of the gallery shall be set apart for the Executive and Judicial officers of the State, and be exclusively appropriated to that purpose.

Third. Five tickets shall be issued to each Senator; five tickets, each, to the Chief Justice of the Supreme Court and the Speaker of the House of Representatives; three tickets to each member of the House of Representatives; three tickets, each, to the Associate Justices of the Supreme Court, and the Judges of the Circuit Courts and the United States District Court; three tickets, each, to the Secretary of State, Comptroller-General, State Treasurer, Attorney-General, Adjutant-General, Superintendent of Education and State Auditor; forty tickets to the private Secretary of the Governor, for the use of the Governor; and thirty-five tickets shall be issued by the presiding officer of the Senate to the reporters of the press, and twenty tickets for his own use; three tickets to the State Land Commissioner, and fifty tickets for the use of the Managers on the part of the House, and fifteen tickets, each, for the Clerk and Reading Clerk of the Senate and House. And the seats now occupied by the Senators shall be reserved for them. The residue of the tickets to be issued shall be distributed among the members of the Senate, in proportion to the representation of their respective Counties in the House of Representatives, and the seats now occupied by the Senators shall be reserved for them.

Mr. WHITTEMORE submitted the following Resolution, which was considered immediately, and agreed to:

Resolved, That, at one o'clock Tuesday afternoon, January 17th, the Senate will proceed to consider the impeachment of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina, at which time the oath or affirmation required by the Rules of the Senate, sitting for the trial of an impeachment, shall be administered by the presiding officer of the Senate, sitting as aforesaid, to each member of the Senate, and that the Senate, as aforesaid, will, at the time aforesaid, receive the Managers appointed by the House of Representatives.

Ordered, That the Clerk lay the Resolution before the House of Representatives.

Ordered, That the Articles of Impeachment exhibited against T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina, be printed.

Ordered, That a copy of the Rules of Procedure and Practice in the case of impeachment, be communicated by the Clerk to the House of Representatives, and a copy thereof delivered by him to each member of the House.

IMPEACHMENT TRIAL.

FIRST DAY.

IN THE SENATE OF SOUTH CAROLINA,

COLUMBIA, Wednesday, January 17, 1871.

At one o'clock this day, the Senate resolved itself into a Court of Impeachment for the trial of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of the State of South Carolina.

The President, Hon. A. J. RANSIER, in the chair.

The following oath was administered by the Clerk to the President :

"I solemnly swear, that in all things appertaining to the trial of the impeachment of T. O. P. Vernon. now pending, I will do impartial justice, according to the Constitution and the laws : So help me God."

The same oath was then administered to the following Senators by the President, viz :

Messrs. Arnim, Barber, Bieman, Burroughs, Cardozo, Corbin, Dickson, Duncan, Duvall, Greene, Hayes, Hayne, Holcombe, Johnston, Leslie, Montgomery, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson, Wimbush.

On motion of Mr. WHITTEMORE, the Rules adopted by the Senate in its legislative capacity, were adopted by the Senate in its capacity of a Court of Impeachment.

On motion of Mr. WHITTEMORE,

Ordered, That the Clerk of the Senate notify the House of Representatives that the Senate is now organized for the trial of the Articles of Impeachment against T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina, and is ready to receive the Managers of Impeachment at its bar.

Mr. SWAILS asked the enforcement of the Rule relative to the admission of persons to the floor of the Senate.

Messrs. Whipper, Crews, Wilkes and Logan, of the Committee of Managers on the part of the House, appeared before the bar of the Senate.

Mr. Whipper said:

Mr PRESIDENT—The Managers of the House are now prepared to exhibit specific Articles of Impeachment against T. O. P. Vernon.

The PRESIDENT ordered the Sergeant-at-Arms of the Senate to command silence, who made the following proclamation:

“All persons are commanded to keep silence, on pain of imprisonment while the House of Representatives is exhibiting to the Senate of South Carolina Articles of Impeachment against T. O. P. Vernon.”

Mr. Whipper then read the following Articles:

ARTICLE I.

That whereas, for the due, faithful and impartial administration of justice, temperance and sobriety are essential qualities in the character and conduct of a Judge, yet the said T. O. P. Vernon, unmindful of the solemn duties of his office, forgetful of the dignity which belonged to his judicial station, and in reckless disregard of that decorum which should ever regulate the conduct of a Judge, in and out of Court, and to the great scandal and detriment to the administration of Justice, has frequently appeared upon the Bench when in a state of drunkenness, and especially did so preside at the regular terms of said Courts, held in the County of Newberry, respectively, to wit: during the regular term commencing in that County on the third Monday of May, A. D. 1870, and also during the regular term in said County, commencing on the third Monday of September, A. D. 1870, when so much under the influence of intoxicating drink as to impair his capacity to discharge generally the duties of his office

ARTICLE II.

That the said T. O. P. Vernon, Judge as aforesaid, in entire disregard of his duty, as such Judge, and in violation of public decency, order and good morals, and to the great scandal and detriment of the administration of Justice, has, at various times and places, appeared upon the Bench, for the discharge of judicial duties, in a condition of gross drunkenness, and especially did so preside in the City of Columbia, County of Richland, on or about the 10th day of December, A. D. 1870, upon the hearing of certain cases of *habeas corpus* when so drunk as to scarcely be able to comprehend the nature of the proceedings then being had before him.

ARTICLE III.

That the said T. O. P. Vernon, Judge as aforesaid, in entire disregard of his duty, and in violation of public decency, order and good morals, and to the great scandal and detriment to the administration of Justice, has, at various times and places, appeared upon the Bench, for the purpose of administering justice, in a state of intoxication, produced by the free and intemperate use of inebriating liquors, and, especially, did so preside, when in that condition, during a term of Court held in the city of Greenville, County of Greenville, in this State, commencing on or about the second Monday in January, A. D. 1870, being to the evil example of all the good citizens of this State, and disgraceful to his own character as a Judge.

ARTICLE IV.

That the said T. O. P. Vernon, in entire disregard of his duty as such Judge, as aforesaid, and in violation of public decency, order and good morals, and to the great scandal and detriment to the administration of justice, during one year now last past, and while holding said office, had been in the frequent and common habit, while holding the terms of the respective Courts of the Seventh Judicial Circuit of the State of South Carolina, as well as during the vacation of the same, of becoming grossly intoxicated, and exhibiting himself to the public, as well by day as by night, in a state of gross drunkenness.

ARTICLE V.

That the said T. O. P. Vernon, by reason of, and as a consequence of, his intemperate habits and habitual drunkenness, has rendered himself, has been, and is now, utterly incompetent for the proper discharge of the duties of his said office.

ARTICLE VI.

That the said T. O. P. Vernon, for about one year now last past, he being, during the whole of said period, Circuit Judge of the Seventh Judicial Circuit, has wilfully neglected to perform the duties of said office with reasonable diligence, thereby causing great delays in the transaction of the judicial business of his said Circuit, and causing great loss, damage and inconvenience to suitors, jurors and witnesses before the Courts over which he presided, and, especially, at the respective terms of his said Courts, in and for the County of Newberry.

ARTICLE VII.

That, unmindful of the solemn duties of his office, and contrary to the sacred obligation by which he stood bound to discharge them, the said T. O. P. Vernon, Circuit Judge, as aforesaid, did, during the month of December, A. D. 1870, issue certain writs, purporting to be writs of *habeas corpus*, which said writs, at the time of their issuance, were in blank, and not addressed to any officer, nor did said writs contain the names of any person or persons, whomsoever, nor was any petition ever presented to him praying for the same; which said writs, purporting to be writs of *habeas corpus*, as aforesaid, were subsequently used by other persons to whom they had been given, filling up the blanks left therein, and by the insertion, by said other persons, in said writs, of the names of parties who were not under any arrest, of which the said T. O. P. Vernon had jurisdiction at the time of the signing and issuance by him of said pretended writs.

ARTICLE VIII.

That whereas, the House of Representatives did, on the 10th day of December, A. D. 1870, pass a Resolution impeaching said T. O. P. Vernon for high crimes and misdemeanors in office; and whereas, a copy of said Resolution was duly served upon the said T. O. P. Vernon, by the Sergeant-at-Arms of the House of Representatives; and whereas, the attention of the said T. O. P. Vernon was formally directed to Section 1 of Article VII of the Constitution of the State of South Carolina; yet, in willful defiance and disregard of Section 1 of Article VII of said Constitution, the said T. O. P. Vernon did assume to act as Judge, and actually did, illegally and arbitrarily, perform judicial duties.

And the House of Representatives, by protestation, saving to themselves the liberty of exhibiting at any time hereafter any further Articles, or other accusations, or impeachment, against the said T. O. P. Vernon, and of replying to his answers which he shall make unto the Articles herein preferred against him, and of offering proof to the same, and every part thereof, and to all and every other Article, accusation, or impeachment, which shall be exhibited by them, as the case shall require, demand the said T. O. P. Vernon may be put to answer for the high crimes and misdemeanors in office herein charged against him, and that such proceedings, examinations, trials and judgments may be thereupon had as may be according to law and justice.

After the Articles were read,

On motion of Mr. WHITTEMORE,

Ordered, That a summons do issue as required by the Rules of Proce-

dure and Practice in the Senate when sitting on the trial of impeachments, to T. O. P. Vernon, returnable on Friday, the 20th day of January instant, at 12.30 o'clock P. M.

On motion of Mr. WHITTEMORE, at 1:30 P. M., the Senate, sitting as a Court of Impeachment, adjourned until Friday, the 20th instant, at 12:30 P. M.

IMPEACHMENT TRIAL.

SECOND DAY.

IN THE SENATE OF SOUTH CAROLINA,
COLUMBIA, Friday, January 20, 1871.

The Senate, at 12:30 P. M. this day, resolved itself into a High Court of Impeachment for the trial of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of the State.

The President, Honorable A. J. RANSIER, in the Chair.

On motion of Mr. WHITTEMORE,

Ordered, That the Clerk of the Senate inform the House of Representatives that the Senate is in its Chamber ready to proceed to the trial of T. O. P. Vernon, and that seats are provided for the accommodation of its members.

The Sergeant-at-Arms announced the Managers of Impeachment on the part of the House.

The Managers entered the Senate Chamber, accompanied by the Speaker *pro. tem.* of the House, Hon. J. N. Hayne, the Sergeant-at-Arms and the Clerk of the House of Representatives, and followed by the members of the House.

The Managers present were Messrs W. J. Whipper, F. J. Moses, Jr., J. Crews, A. Logan and W. D. Wilkes.

Mr. SWAILS asked for the enforcement of the Rule which prohibited persons, other than Senators, coming within the bar of the Senate.

Mr. WHITTEMORE—I do not see the necessity of it. The members of the House cannot all find seats in the rear of the house, and I see no necessity for a strict enforcement or construction of the order in this respect. At the same time, I appreciate the remarks and object of the Senator from Williamsburg, for, unless silence is preserved, the Senators cannot hear the evidence. But I see no way of accommodating the members of the House, unless the order is enforced, and strangers who may have cards be sent up in the gallery. I, therefore,

move that the Sergeant-at-Arms be instructed to show strangers on the floor to the gallery, and that he also provide chairs for the members of the House.

Mr. SMALLS—I would suggest that more room might be provided, if the chairs and desks of the Senators were placed all on one side of the Hall, and the remaining side might be occupied by the members of the House.

On motion of Mr. WHITTEMORE, it was

Ordered, That the Sergeant-at-Arms notify all strangers who appear with tickets to occupy seats in the gallery; that the floor of the Senate is to be occupied by members of the Senate and House of Representatives.

The Senate floor was then cleared of all but Senators and members of the House of Representatives.

The following Senators, who were not present at the primary organization of the Court, were called to the desk of the President, and took the oath prescribed by the Rules of Procedure, (Rule 24,) viz: Messrs. Maxwell, Allen, Hayes, Leslie and Duncan.

Mr. SWAILS insisted upon a ruling of his point of order, previously stated, in reference to the members of the House not being allowed within the bar, and asked for a construction of the Rule. The Senators were now sitting as jurors, and while in that capacity the members of the House should not be in such close proximity to them.

The PRESIDENT—The Chair will construe the Rule liberally. The members of the House, under the regular Rules of the Senate, are entitled to the privilege of the floor of the Senate.

The PRESIDENT directed the Sergeant-at-Arms to make proclamation.

The Sergeant-at-Arms made proclamation as follows:

“All persons are commanded to keep silence while the Senate is sitting for the impeachment trial of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of the State of South Carolina.”

The PRESIDENT directed the Sergeant-at-Arms to read the return on the writ of summons ordered by the Senate to be issued to T. O. P. Vernon:

The Sergeant-at-Arms read as follows:

The foregoing writ of summons, addressed to T. O. P. Vernon, Judge of the Seventh Judicial Circuit, and the precept addressed to me, were personally served upon T. O. P. Vernon, Judge of the Seventh Judicial Circuit, by delivering to, and leaving with him, a true and attested copy at his residence, at 9:05 P. M., January 17, 1871.

J. E. GREEN,
Sergeant-at-Arms, Senate of South Carolina.

The Clerk then administered the following oath to the Sergeant-at-Arms :

“ I, J. E. Green, Sergeant-at-Arms of the Senate of South Carolina, do solemnly swear that the return made by me, upon the process issued on the 17th day of January, by the Senate of South Carolina, against T. O. P. Vernon, is truly made, and that I have performed such service as therein described: So help me God.”

The PRESIDENT—Is the said T. O. P. Vernon by self or by Counsel present?

Mr. J. D. Pope, Counsel for T. O. P. Vernon, appeared at the bar of the Senate and read the following power of Attorney, to appear for and defend the said T. O. P. Vernon, which, on motion, was received as information :

THE STATE OF SOUTH CAROLINA—IN THE MATTER OF THE IMPEACHMENT OF T. O. P. VERNON, JUDGE OF THE SEVENTH JUDICIAL CIRCUIT OF THE SAID STATE.—*Warrant to Appear.*

To the Senate of South Carolina, sitting as a Court of Impeachment :

I have nominated Joseph D. Pope and Alexander C. Haskell, Attorneys, of the city of Columbia, to appear in my behalf, and make defense in the matter of the charges brought against me in the Articles of Impeachment served upon me to appear before the said Court, in the Senate Chamber, in the city of Columbia, on the 20th day of January, 1871, at 12 o'clock and 30 minutes P. M.

Witness my hand, this 17th day of January, 1871.

(Signed)

T. O. P. VERNON.

Mr. Whipper, Chairman of the Managers of the House, announced that the Board has retained as counsel Mr. H. G. Worthington and Col. R. B. Elliott, and asked that seats be furnished them.

Mr. HAYNE—I move, Mr. President, that the Sergeant-at-Arms be instructed to provide seats for the members of the House, and that they be requested to withdraw from the desks of the Senators.

The PRESIDENT—The Sergeant-at-Arms, under the Rules, has already instructions to that effect. I would request the members of the House to keep at a respectful distance from the members of the Senate during the continuance of the trial.

Mr. Pope—As the counsel for the Respondent, I would ask further time to answer the charges brought against him. The charges are numerous, and the warrant was not served but within the past three days. It is very probable that Judge Vernon will simply put in a plea of not

guilty to each Article ; but it may be necessary in some things to put in an answer. Besides which, the witnesses for the defence are scattered through several Counties, and in the last three days it was impossible for Judge Vernon, either in person or by attorney, to see such persons as he desires to testify in his case. He, therefore, desires further time to make his preparations for defence. I do not desire to make a point of difference with the Managers. I simply desire that Judge Vernon, by counsel, be allowed until Tuesday next to reply to the Articles, and then to enter upon the trial.

Mr. Whipper—The Managers would ask, before that matter is settled upon, that the Articles of Impeachment be read, and Judge Vernon be put upon his arraignment, and make a plea. Then we will not oppose the motion of his counsel.

The Clerk of the Senate then read as follows :

ARTICLE I.

That whereas, for the due, faithful and impartial administration of justice, temperance and sobriety are essential qualities in the character and conduct of a Judge, yet the said T. O. P. Vernon, unmindful of the solemn duties of his office, forgetful of the dignity which belonged to his judicial station, and in reckless disregard of that decorum which should ever regulate the conduct of a Judge, in and out of Court, and to the great scandal and detriment to the administration of justice, has frequently appeared upon the Bench when in a state of drunkenness, and especially did so preside at the regular terms of said Courts, held in the County of Newberry, respectively, to wit: during the regular term commencing in that County on the third Monday of May, A. D. 1870, and also during the regular term in said County, commencing on the third Monday of September, A. D. 1870, when so much under the influence of intoxicating drink as to impair his capacity to discharge generally the duties of his office.

Mr. Pope—To this Article the respondent pleads not guilty, reserving to himself the right to put in a plea, in writing, on Tuesday next.

The Clerk read as follows :

ARTICLE II.

That the said T. O. P. Vernon, Judge as aforesaid, in entire disregard of his duty as such Judge, and in violation of public decency, order and good morals, and to the great scandal and detriment of the administration of justice, has, at various times and places, appeared upon the Bench, for the discharge of judicial duties, in a condition of gross

drunkenness, and especially did so preside in the city of Columbia, County of Richland, on or about the 10th day of December, A. D. 1870, upon the hearing of certain cases of *habeas corpus*, when so drunk as to scarcely be able to comprehend the nature of the proceedings then being had before him.

Mr. Pope—To this Article the respondent pleads not guilty, with the same reservation as in the first.

The Clerk read as follows :

ARTICLE III.

That the said T. O. P. Vernon, Judge as aforesaid, in entire disregard of his duty, and in violation of public decency, order and good morals, and to the great scandal and detriment to the administration of justice, has, at various times and places, appeared upon the Bench, for the purpose of administering justice, in a state of intoxication, produced by the free and intemperate use of inebriating liquors, and, especially, did so preside, when in that condition, during a term of Court held in the city of Greenville, County of Greenville, in this State, commencing on or about the second Monday in January, A. D. 1870, being to the evil example of all the good citizens of this State, and disgraceful to his own character as a Judge.

Mr. Pope—To this Article the respondent pleads not guilty, with the same reservation.

The Clerk read as follows :

ARTICLE IV.

That the said T. O. P. Vernon, in entire disregard of his duty as such Judge, as aforesaid, and in violation of public decency, order and good morals, and to the great scandal and detriment to the administration of justice, during one year now last past, and, while holding said office, had been in the frequent and common habit, while holding the terms of the respective Courts of the Seventh Judicial Circuit of the State of South Carolina, as well as during the vacation of the same, of becoming grossly intoxicated, and exhibiting himself to the public, as well by day as by night, in a state of gross drunkenness.

Mr. Pope—To this Article the respondent pleads not guilty, with the same reservation,

The Clerk read as follows :

ARTICLE V.

That the said T. O. P. Vernon, by reason of, and as a consequence of, his intemperate habits and habitual drunkenness, has rendered himself, has been, and is now, utterly incompetent for the proper discharge of the duties of his said office.

Mr. Pope—To this Article the respondent pleads not guilty, with the same reservation.

The Clerk read as follows :

ARTICLE VI.

That the said T. O. P. Vernon, for about one year now last past, he being, during the whole of said period, Circuit Judge of the Seventh Judicial Circuit, has willfully neglected to perform the duties of said office with reasonable diligence, thereby causing great delays in the transaction of the judicial business of his said Circuit, and causing great loss, damage and inconvenience to suitors, jurors and witnesses before the Courts over which he presided, and, especially, at the respective terms of his said Courts, in and for the County of Newberry.

Mr. Pope—To this Article the respondent pleads not guilty, with the same reservation.

The Clerk read as follows :

ARTICLE VII.

That, unmindful of the solemn duties of his office, and contrary to the sacred obligation by which he stood bound to discharge them, the said T. O. P. Vernon, Circuit Judge as aforesaid, did, during the month of December, A. D. 1870, issue certain writs, purporting to be writs of *habeas corpus*, which said writs, at the time of their issuance, were in blank, and not addressed to any officer, nor did said writs contain the names of any person or persons, whomsoever, nor was any petition ever presented to him praying for the same ; which said writs, purporting to be writs of *habeas corpus*, as aforesaid, were subsequently used by other persons to whom they had been given, filling up the blanks left therein, and by the insertion, by said other persons, in said writs, of the names of parties who were not under any arrest, of which the said T. O. P. Vernon had jurisdiction at the time of the signing and issuance by him of said pretended writs.

Mr. Pope—To this Article the respondent pleads not guilty, with the same reservation.

The Clerk read as follows :

ARTICLE VIII.

That whereas, the House of Representatives did, on the 10th day of December, A. D. 1870, pass a Resolution impeaching said T. O. P. Vernon for high crimes and misdemeanors in office; and whereas, a copy of said Resolution was duly served upon the said T. O. P. Vernon, by the Sergeant-at-Arms of the House of Representatives; and whereas, the attention of the said T. O. P. Vernon was formally directed to Section 1 of Article VII of the Constitution of the State of South Carolina; yet, in willful defiance and disregard of Section 1 of Article VII of said Constitution, the said T. O. P. Vernon did assume to act as Judge, and actually did, illegally and arbitrarily, perform judicial duties

And the House of Representatives, by protestation, saving to themselves the liberty of exhibiting at any time hereafter any further Articles, or other accusations, or impeachment, against the said T. O. P. Vernon, and of replying to his answers which he shall make unto the Articles herein preferred against him, and of offering proof to the same, and every part thereof, and to all and every other Article, accusation or impeachment, which shall be exhibited by them, as the case shall require, demand the said T. O. P. Vernon may be put to answer for the high crimes and misdemeanors in office herein charged against him, and that such proceedings, examinations, trials and judgments may be thereupon had as may be according to law and justice.

Mr. Pope—To this Article the respondent pleads not guilty, with the same reservation, and announces to the Court that on all the charges he will be ready for trial on Tuesday next.

The PRESIDENT—What is the pleasure of the Board?

Mr. Whipper—The Managers see no objection to the proposition of the counsel for the respondent, and consent thereto.

The following Order was then offered by Mr. WHITTEMORE:

Ordered, That the Respondent file answer to the Articles of Impeachment, on or before Tuesday, the 24th day of the present month.

Mr. Whipper—The parties have already plead the general issue, and it is a matter of no consequence whether they make any further answer or not.

Mr. WHITTEMORE—It is the usual manner of procedure, and I offer it as such. I have no desire to press the order.

Mr. Whipper—It might have been well if they had not chosen the course they have. But having come in, and put in the general plea of "not guilty," that order extends them the right to come here again on Tuesday with an additional plea. It puts us to a disadvantage, and we prefer that the order be not adopted.

Mr. Whittemore then withdrew the order.

Mr. Pope—The motion was made, distinctly, for further time, on the part of Judge Vernon. It was expressly stated that he was not ready for trial, and desired to appear on Tuesday next. The proposition, on the part of the Managers, was distinctly that he should plead *ore tenus* at present, and that his written plea would be filed at any time that the Court might allow. Now, I am fair enough to state to the Court, that I do not believe that any thing more will be put in this written plea than the general issue. But, most assuredly, the understanding was that he should plead *ore tenus*, and that his written answer should be filed subsequently.

Mr. Whipper—All that I understood in allowing him to plead *ore tenus* was, that he should simply put in writing what has just been pleaded. The respondent has plead the general issue, and may put that in writing, at any time, between now and next Tuesday. But he may not plead the issue now, and then come in on Tuesday with some other answer.

Mr. WHITTEMORE—I shall offer an order that the further consideration of the trial be postponed until Tuesday next.

Mr. Whipper—To that we consent. The Managers desire that I should state distinctly that we do not oppose a motion for continuance. They are unanimous in their disposition to allow any reasonable time for preparation to meet the issues.

Mr. WHITTEMORE offered the following order, which was unanimously adopted:

Ordered, That the further hearing of the case of T. O. P. Vernon, Judge of the Seventh Circuit, be adjourned until Tuesday next at 12:30 P. M., and that the trial do then proceed.

Mr. WHITTEMORE also offered the following order:

Ordered, That the Senate, sitting as the present Court of Impeachment, adjourn until the 24th day of the present month, at 12:30 P. M.

Mr. Pope—As the Counsel of Judge Vernon, I desire to ask from the Court whether the witnesses that may be handed in by the defence to be summoned in this case will not stand upon the same footing as the witnesses summoned by the State. In other words, whether the witnesses on both sides will not be paid by the State in the same way. I have very little acquaintance with trials on impeachment. Indeed, none. I do not know any gentleman in the Senate, but one, who has any acquaintance with such proceedings. It seems to me that this is not a trial before a Judge and jury, but this is the grandest inquest of the State, upon the conduct of one of its officers. The question is not, on the part of the

State, to force a verdict of guilty, but it is a question of enquiry of what has the servant of the State done? Wherein has he failed to discharge his duty, and wherein should he be deprived of his office under the Constitution of the State? In making that enquiry, on the part of a solemn body like this, it is not their duty to call all the witnesses upon one side and throw the burden of bringing the witnesses on the other side into Court; but to hold the scales of justice with an equal hand. The defendant is an officer of the State, and will remain one until he is convicted. I would also add that the defendant in this trial is not a wealthy man, and not able to pay such witnesses as justice would require him to produce. It seems to me the proper course would be to put all the witnesses on the same footing. I desire to be informed upon this question by the Court before we proceed further.

The PRESIDENT—It is the opinion of the Chair that only the witnesses on the part of the prosecution will be paid by the State.

Mr. WHITTEMORE, in order to take the sense of the Senate, offered the following order :

Ordered, That the witnesses on the part of the prosecution and defense be paid their per diem and mileage by the State.

Mr. CORBIN—I am totally opposed to that order. It would be the first time in the history of the proceedings of Courts that such a thing was done, in my judgment. I have been practicing as prosecuting attorney for a number of years, and have never known the State to pay the defendant's witnesses, except in cases where the party makes oath that he is too poor to subpoena his witnesses, and bring them before the Court. In order to have justice done, there is a special statute in the Constitution which provides for the procuring of those witnesses by the State. But I have never heard of an instance in a trial of this kind. It is something entirely new, and is a precedent that should not be established.

Mr. WHITTEMORE—It will be understood by the Court that I offered the order simply to get the voice of the Court; not that I believe in its correctness at all.

Mr. LESLIE—The attorney who has been in the habit of practicing before the Trial Justices of the State, and a sharp prosecutor of criminals, might insist upon the strict enforcement of the Rule that defendants must pay their own witnesses; but this is another case. This is a case in which, while the defendant is arraigned formally, yet he is not here in the sense of being a culprit. We are here in the nature of a grand inquest to inquire whether these things being charged against him are true. And, besides, the State is more interested in showing that he is not guilty, if there is such a side to the case, than in convicting him.

The man is poor. He has no money, as everybody here knows, to expend for this purpose. I would be glad to help to summon half the State to prove that he is entirely innocent of these charges, and I would vote the expense, if necessary, because it would accord with my feelings of sense and propriety. Mr. President, this man is poor, and he asks the Senate that his dozen or half dozen witnesses be summoned by the State, to show that he is a faithful officer. I look upon it as a matter of justice, and think it will be a very small business on the part of the Senate to refuse. If they do, I will pay the expenses myself.

Mr. CORBIN—It is a very strange thing that a defendant (for Judge Vernon is a defendant, charged with high crimes and misdemeanors, should have the right to ask that the State should pay his witnesses. Just consider it for a moment. The State prosecutes. Information is received that Judge Vernon is charged with high crimes and misdemeanors. We have witnesses to summon, presented on the part of the House of Representatives. Now, if the Senate will take the position that it will send for Judge Vernon's witnesses, we will have the State in the contradictory position of prosecuting on the one side, and defending on the other. I think my friend is entirely ignorant of the principles which govern criminal or any other prosecution.

Mr. HAYNE—I hold that the order is out of order, inasmuch as, under the Constitution of the State, no money can be appropriated out of the Treasury without the consent of both branches of the General Assembly, either by Act or Joint Resolution. And, under the Constitution, the Joint Resolution must state the specific purpose for which the money is to be used. No provision has been made for the payment on either side, to my knowledge, and the whole matter is out of order, in my judgment.

Mr. WHITTEMORE—In reply, I would say that fifteen hundred dollars have already been appropriated, and that it is competent for the Senate and House of Representatives, at any time, to bring in a Joint Resolution for an appropriation for any purpose. We are not unconstitutional, at least so far as that is concerned. In offering the order, my object was simply to test the sense of the Court on the subject.

Mr. LESLIE—This is a contingent fund, and it is perfectly proper for the Senate to appropriate it. Fifteen hundred dollars were raised yesterday to prosecute the man, but here comes an appeal of no money, and we refuse. Every one knows that no Judge in the State has money. Here is the point I desire to make: Who are the prosecutors in this case, and what is this Court of Impeachment? Are we not here, as the gentleman states, in the nature of a grand inquest, to know what the truth is? Are we afraid of the truth? Or are we merely to prosecute

sharply? If we are after the truth, let us see that the list of witnesses for the defence be handed to the Sergeant-at-Arms, and he be directed to summon them, and the expenses be paid by the State.

Mr. WHITTEMORE—The member is out of order. If he has any questions to ask, they must be in writing.

On the question being put, the Senators voted as follows:

Yeas—Messrs. Arnim, Burroughs, Duncan, Duvall, Hayes, Holcombe, Leslie.—7.

Nays—Messrs. Allen, Barber, Cardozo, Corbin, Greene, Hayne, Johnston, Maxwell, Nash, Owens, Rose, Smalls, Swails, Whittemore, Wilson —15.

So the order was voted down.

Mr. Whipper requested that the Sergeant-at-Arms be instructed to inform the witnesses on the part of the State the day on which their presence will be required.

It was so ordered.

Mr. Whittemore's Order for adjournment was adopted, and the Court adjourned to 12:30 P. M., Tuesday, 24th instant.

IMPEACHMENT TRIAL.

THIRD DAY.

IN THE SENATE OF SOUTH CAROLINA,
COLUMBIA, Tuesday, January 24, 1871.

At 12:30 P. M., the High Court of Impeachment, for the trial of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina, met in the Senate Chamber.

Hon. A. J. RANSIER, President, in the Chair.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. A. O. Jones, Clerk of the House of Representatives, appeared and delivered the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., January 21, 1871.

Mr. President:

The House of Representatives has directed me to lay before your honorable body the following:

Resolved, That a message be sent to the Senate, by the Clerk of the House, informing the Senate that the House of Representatives has

adopted a replication to the answer and plea of T. O. P. Vernon, Circuit Judge of the Seventh Judicial Circuit of South Carolina, to the Articles of Impeachment exhibited against him, and that the same will be presented to the Senate by the Managers on the part of the House.

A. O. JONES,

Clerk of the House of Representatives

The message was received as information, and ordered to be filed.

The PRESIDENT—The Sergeant-at-Arms will make proclamation of silence.

Silence having been proclaimed by the Sergeant-at-Arms,

The PRESIDENT directed the Clerk of the Senate to notify the Managers of Impeachment on the part of the House of Representatives that the Senate is sitting as a High Court of Impeachment, and invites their presence.

Mr. Whipper, Chairman of the Board of Managers on the part of the House, appeared in the Bar of the Senate, and asked, on behalf of the Board of Managers, a continuance of the case for one half hour.

On motion of Mr. WHITTEMORE, at 12:40 P. M.,

Ordered, That the Court take a recess of thirty minutes.

At 1:10 P. M. the Court re-assembled, the President, the Hon. A. J. RANSIER, in the chair.

The Board of Managers on the part of the House were announced, and appeared within the bar of the Senate.

The respondent was represented on the floor of the Senate by his counsel, Messrs. Pope and Haskell.

Mr. Whipper read and filed the following replication on the part of the House to the plea of the respondent :

REPLICATION,

By the House of Representatives of the State of South Carolina to the answer and plea of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of the State of South Carolina, to the articles of impeachment exhibited against him by the said House of Representatives.

The House of Representatives of the State of South Carolina having considered the answer and plea of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of the State of South Carolina, to the articles of impeachment against him by them, exhibited in the name of themselves and of all the people of the State, reply that the said T. O. P. Vernon is guilty in such manner as he stands impeached, and that the House of Representatives are ready to prove the same.

Mr. Whipper—I now desire to read the following Resolution, adopted by the House upon receiving official notice of the resignation of Judge Vernon, and its acceptance by the Governor, in compliance with the request of the House, and ask, in accordance with the request, that the Articles of Impeachment be withdrawn.

The PRESIDENT—The Chair would ask first that an authentic copy of the Replication of the House be furnished the respondent's counsel.

On motion of Mr. WHITTEMORE,

Ordered, That an authentic copy of the Replication of the House be furnished the counsel of Judge Vernon.

Mr. WHIPPER read the following Preamble and Resolutions adopted by the House:

Whereas, this House has been officially notified that T. O. P. Vernon, Judge of the Seventh Judicial Circuit, has resigned his position as Judge aforesaid; therefore,

Resolved, That this House instruct the Clerk to notify the Senate of the same; and, also, instruct the Managers of Impeachment of T. O. P. Vernon to ask leave of the Senate to withdraw the Articles of Impeachment against the said T. O. P. Vernon.

In accordance with this Resolution, Mr. President, on the part of the Board of Managers, I ask leave of this honorable Court to withdraw the Articles of Impeachment.

Mr. WHITTEMORE—In order to consider the information which has just been received from the Managers of Impeachment, I move that the Senate be allowed to be by itself, under Rule 19.

Mr. Whipper—If it is desired that the Senate be cleared, in order to deliberate upon our request, the Managers would like to be heard.

Mr. LESLIE—Is it possible to vote at once on the question?

The PRESIDENT—It is within the range of possibilities.

Mr. LESLIE—Then let us do it.

Mr. Whipper—I ask, on the part of the Board, that our counsel, Mr. Worthington, be heard on the question.

The PRESIDENT granted leave to the counsel for the Managers to address the Court.

Mr. Worthington:

MR. PRESIDENT: The simple proposition that suggests itself to my mind is one of the material effects of our power and jurisdiction over a prosecution, which, under the Constitution of the State, is inaugurated. It cannot be denied, Mr. President, that there is no precedent in law books that divests the jurisdiction and the power of the House of Repre-

sentatives, as a prosecuting department of the Government, over a case of impeachment before the Senate, at any and all stages of the proceedings. This proceeding was inaugurated for the purpose of accomplishing certain results, which, if successfully prosecuted throughout all its various stages, can simply result in the deposition of a public officer. That public officer, by his own act, is now *functus officis*. If this were prosecuted to its result, and a judgment invoked, that judgment would be removal from office; that the consideration suggests incumbency in office at the time. I would ask the honorable Senators how they can remove an incumbent when there is no incumbent? No other penalty is attached, no other punishment sought to be inflicted, except the simple abstract proposition of the vacation of a certain office upon the alleged supposition of guilt. And yet, upon the rendition of that judgment, you understand the patent fact that there is no office in that place that you propose to make vacant. How, then, can you render your judgment of eviction when there is no one to evict? Story lays it down in his treatise upon the Constitution very clearly, (and I regret that I have not a copy of Story with me,) that if the result sought to be accomplished is not allowable at the time of the rendition of judgment, judgment cannot be rendered. Now, the House of Representatives have inaugurated this impeachment for the purpose of arriving at a judgment against T. O. P. Vernon, Judge of the Seventh Circuit of South Carolina, in consequence of high crimes and misdemeanors, to effect his removal from office. That result has been accomplished by his own voluntary act. The purpose of the House of Representatives has been fully satisfied, and now the House instructs its Board of Managers to withdraw its Articles of Impeachment from before this honorable Senate, sitting as a Court. What would be the condition of this Court if, in obedience to the demands of the House of Representatives, its Board of Managers were to vacate their position, and retire to their chamber? Where is the prosecuting department? By whom is it represented? Why, I might go a little further, and, after the manner of a solicitor in ordinary cases, enter a *nolle prosequi*. Who is considered to be more strict in its management of the case than the prosecuting power? And we ask, since the results of the prosecution have been accomplished, and the ends of justice subserved, that this honorable Court recede from any further prosecution. Every consideration of reason and public policy would prompt the Court to yield, and, in obedience to that demand, we now invoke this honorable body to permit the prosecuting power to withdraw these Articles of Impeachment of T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina, on account of the result that we desired having been obtained.

Mr. WHITTEMORE moved that the Senate retire, in order to con-

sider the information presented by the honorable Managers, on the part of the House of Representatives, as to the withdrawal of the Articles of Impeachment against T. O. P. Vernon, Judge of the Seventh Judicial Circuit of South Carolina.

Mr HAYNE moved that the Resolution be laid on the table.

On the call of the roll the Senate voted :

Yeas—Messrs. Allen, Bieman, Foster, Hayne, Johnston, Smalls, Wilson.—7.

Nays—Messrs. Arnim, Barber, Cardozo, Clinton, Duncan, Greene, Maxwell, Nash, Swails, Whittemore, Wimbush.—11.

So the motion to lay on the table was lost.

Mr. HAYNE offered the following motion as a substitute for that of Mr. Whittemore: That the request of the Managers on the part of the House be granted.

Mr. Wilkes—Mr. President, I believe, sir, this is the first time I have opened my mouth in this trial. Still, I do not desire to address the Senate at any length. I desire simply to say, in behalf of the motion offered, that the Chairman of the Board of Managers and their counsel are fully agreed in support of the motion; and I may say, for the information of the Senators in this honorable Court, that the House of Representatives, in the passage of this Resolution instructing the Board to make this motion before the Court, almost unanimously concurred. And it rests with you, Senators, now to end this proceeding at once and forever. And I hope it will be your pleasure, as you will feel it your duty, to yield to the wishes of the House, and promptly put an end to it.

Mr. WHITTEMORE—In offering the motion for the retirement of the Senate acting in the impeachment of T. O. P. Vernon, it was not my desire to retard the decision of the Senate as a Court, but that we might proceed in the management of the case before us, as has been the usage in other cases. I will say, Mr. President, so far as I am concerned, I am exceedingly pleased with the course taken on the part of the House in the withdrawal of the Articles of Impeachment, and the disposition on the part of the Senate to grant the request of the Managers of the House.

Mr. Whipper—I can only agree with the Managers who have preceded me, that we, having accomplished our purpose in the case, nothing will give the House of Representatives or the Board of Managers more pleasure than to have leave to withdraw immediately the Articles of Impeachment against T. O. P. Vernon. The case was not commenced because there was any feeling of hostility personally against him. He was then a Judge, regarded by the House of Representatives and by the people where he presided as an obstacle to the administration of justice. His removal was necessary; and we have gone forward, step by step,

with the assurance at every step that whenever, if at all, he resigned, we would, on our part, do all we could to have these proceedings stayed. And I now ask that this body will grant leave for it to be done at once. So far as the proposition made by the Senator, that it is the usual course of proceeding, I have this to say, that this is the first case of the kind that has ever arisen. Never before, in the history of impeachments, has a case of this kind occurred. And I feel that we are perfectly justified, after he has resigned, to stop all further proceedings, because, as a Judge, he is now dead, and our purposes have been accomplished.

On the question "Shall the House Managers have leave to withdraw the Articles of Impeachment preferred against T. O. P. Vernon?" the roll was called, and the Senate voted unanimously in the affirmative, and so leave was granted.

The PRESIDENT, in announcing the vote on the question to allow the House to withdraw its Articles of Impeachment, said :

Gentlemen of the Senate :

I feel it my duty, as presiding officer of this very extraordinary tribunal, before announcing the vote, to state to you my feelings of pride, pleasure and gratification at the result of this trial, so far as it has gone. And I congratulate the Respondent, through his Counsel, that he has been spared the pain, and possibly the penalty, attaching to a conviction, which might have followed. I congratulate the State of South Carolina, and every one within or beyond the reach of my voice, as a matter of economy, and announce the vote as follows :

Yeas, 22; nays, none.

So the substitute is adopted, the resignation of Judge Vernon is accepted, and the trial of the Articles of Impeachment indefinitely postponed.

Mr. HAYNE offered the following :

Ordered, That the Senate, sitting as a Court of Impeachment, do now adjourn *sine die*.

Mr. WHITEMORE offered the following, which was subsequently withdrawn :

Ordered, That the witnesses in attendance on the part of the State be paid the sum of three dollars per diem, and a mileage of five cents per mile for travel.

The order of Senator HAYNE was then adopted, and the High Court adjourned *sine die*.

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